Networks of Power in Southeast Scotland, circa 1370-1420

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Ph.D. by Research

University of Edinburgh

2007

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Abstract:

This study is an analysis of the structure of power, predominantly political, in southeast Scotland between the closing years of David II's reign and 1420. In addition to the chronological treatment and a consideration of the interface between the landed nobility and the urban elite, several family histories of second rank nobility, specifically Haliburton, Preston, Forrester, Sinclair earls of Orkney, Sinclairs of Herdmanston, Edmonstone and Grierson, are used to illuminate the methods of attaining influence. The usage of offices, political participation, landholding, marriage and burghal relations are examined as evidence for socio-political networks.

The thesis' argument is that the region lacked a dominant power, and that this permitted a competitive-cooperative system, which created opportunities of advancement for the second rank nobility. Five main points of power existed throughout the period: the Crown, the earls of Angus, Douglas and March, and a fluid group of second rank nobility. All five were capable of acting independently, in concert with one or more of the others, or with subsets within one of the others. Success in this system demanded multiple contacts, an ability to use or ignore contacts as the situation demanded, an ability to extend power directly or indirectly through subordinates and access to the economic and administrative levers held by Crown officers or burghal contacts.

In the 1370s the demand for cooperation in the face of the external, English threat tempered internal competition. This gradually gave way during the 1380s, and by the late 1380s internal competition, as evidenced by the Douglas inheritance dispute, was the primary feature. This internal competition climaxed in 1400-06, during which the external threat was used as a weapon in the internal conflict. By 1406 the collapse of the majority of alternate centres of power, including an attempt to form an explicitly royal affinity, permitted Douglas a near-monopoly of power during the Albany government. However, the alternate channels of power were not removed, and continued contact with James I, negotiated settlements with the earl of March and the duke of Albany, the resurgence of the earl of Angus and the continued existence and usage of administrative structures by men whose alliance with Douglas

was fundamentally pragmatic demonstrate the temporary nature of Douglas ascendancy. The actions of James I, who drew heavily on second rank nobility from the southeast for support, indicate the continued power of these individuals.

Acknowledgements:

With thanks to my supervisors Dr. Steve Boardman, for his detailed knowledge of the period's politics amongst many other things, and Dr. Jenny Wormald, for her advice both on the English historiography and kinship; to my parents, whose belief in my abilities was greater than my own and without whom this would not have been possible; Psalm 143.

DECLARATION

I declare that this thesis has been composed by me and is all my own work. This work has not been submitted for another qualification.

SIGN.....

Anne Creevey Hall

Date.....

1 Oct 2008

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Introduction:

This study of southeast Scotland in the late medieval period aims to illuminate the region's complex political structure and the actions of individuals within the region, who, while crucially important within the regional society, are not well known. The thesis' fundamental argument is that between the late fourteenth-century and early fifteenth-century the existence of numerous rival points of power and overlapping affinities created a system in which competitive and cooperative political behaviour existed simultaneously between and within fluid factions; and that this system provided opportunities for numerous smaller families to exert greater influence than would be the case in a pyramidal hierarchy. The actions taken by these families are examples of vertical independence of action, encompassing questions of both regional and royal, or national, authority and patronage. Part of what allows this type of action is what can best be termed a horizontal fluidity of allegiance, a lack of fixed affinities amongst the local or regional nobility, nobility whose lands were confined to one region or one area within one region. In southeast Scotland three magnates, individuals holding earldoms or regional lordships, held large territories: the earls of Angus, Douglas and March; none of the three held a territorial monopoly, and only March's lands were territorially contiguous. Additionally, large amounts of land were held directly from the Crown, while the presence of several major burghs injected another source of influence and capital.[1] In consequence, the regional society was particularly dynamic, with a large number of families from the second tier of the nobility prominent on the regional, national and international scenes.

The second tier of the nobility, those that did not hold earldoms or regional lordships, can be divided into two groups: the first were those connected with only one magnate; the second had contacts with at least two of the regional magnates, and/or the Crown, and had access to a network within the second tier suggestive of contacts which indirectly tie to them to all the regional authorities.[2] The difference

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[1] A further factor that should be considered, but was not part of this study, was the presence of the numerous monastic houses which were also major landowners.

[2] This group has similarities with the English gentry but is not strictly defined. They were, as Wormald notes, men of influence but not supreme power in a region; they were barons, usually 'greater barons' who according to Grant held at least two baronies. See J. Wormald, 'Lords and Lairds', in Michael Jones (ed.), *Gentry and Lesser Nobility in Late Medieval Europe* (Gloucester

between these two groups is not clearly delineated and men from the first set were often in company with those from the second; consequently the definition of an affinity as: 'the entire network of people who associated with and served a lord'[3] requires modification. When considering this political structure the 'associated with' part of this definition carries more weight, this was a flexible network of social ties not a rigid hierarchy.[4] In the southeast the second group that regularly associated with multiple magnates dominated the recorded social structure in the period between 1357 and 1406; the first group, men whose affinity was singular or clearly definable, was the minority. In the 1406-1424 era the temporary abeyance of multiple points of power, in particular the Crown, created a situation in which the Douglas family's attempt to monopolize the network was at its most successful; however, it was never complete or stable. This situation was created by the lack of a pyramidal structure, permitting the creation and use of multiple channels of patronage, and thereby opportunity, which was used by the second tier families to advance their fortunes.

A defence of some of the material included is needed. The relationship of the burghs and certain burghal families to the structure is included because a discussion of the power structure of any region, at any time in history, is incomplete if only one set of factors is considered. A discussion solely of the southeast landowning nobility would have been possible and would, no doubt, have said some very useful things; however, in my opinion while it would have been a model of the nobility, it would not have been a model of the region. This is particularly evident in the discussion of the Forrester family, whose burghal background exemplifies the need to treat the social network as a whole in order to understand truly their position. Equally important is what is not addressed. The thesis is not a political narrative of the southeast. Although the chronological narrative is the underlying skeleton without which this study could not exist, the intention is to discuss the ways in which individuals used events and the various channels of influence to further their own

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1986), 184-91; A. Grant, 'Development of the Scottish Peerage', *SHR* 57 (1978), 1-28 at p. 1-2. For the English gentry: C. Given-Wilson, *The English Nobility* (London 1987), 73-4,171-2.

[3] C.A. Kelham, *Bases of Magnatial Power in Later Fifteenth Century Scotland*, (University of Edinburgh PhD, 1986) 11

[4] Kelham, *Bases of Magnatial Power*, 56. For the concept of service see: Horrox, R., 'Service', in R. Horrox (ed.), *Fifteenth Century Attitudes* (Cambridge, 1994)

careers and power. The chronological section outlines the shape of the structure as a whole and the political events creating that shape are of secondary concern. However, because its intent is to portray the overall structure, its primary focus is the actions of the Crown and the three magnates, with discussion of certain lesser families as is needed. The case studies of Forrester, Preston, Haliburton, Sinclairs of Roslin (earls of Orkney) and the minor nobility (Sinclairs of Herdmanston[5], Edmonstone and Grierson) are designed to examine the spectrum of ways in which individuals gained or maintained their power within the structure.

This study is not designed to be a quantitative analysis of all the families of record in the region. The families studied were selected by the following criteria: first, sufficient evidence existed to map the activities of the family over the entire period, or the majority of the period. This, by default, meant that some families which were to become central during the fifteenth century, such as the Crichtons, Hepburns and Homes, were omitted because there was insufficient evidence to draw any meaningful conclusions for this period without the use of backwards projection. Secondly, there was a deliberate decision to balance the preponderance of Douglas evidence. While in no way denying the vital importance of the earls of Douglas to the region, something which is clearly expressed in the chronological sections, it was felt that other less studied families would be as useful in discussing the network's operation. This consideration meant that families such as the Douglases of Dalkeith, the Borthwicks and the Hays were set aside in favour of other families. Thirdly, and possibly most importantly, the quality of the evidence itself determined the focus. There was insufficient evidence in several cases, despite the undeniably interesting individuals, and consequently a meaningful pattern could not be discerned, the Cockburns, Logans, Ramsays, Lauders and Lindsay of Byres, were all examples of this problem in varying degrees. Lastly, of course, was the matter of space; many families which should have been discussed in greater detail simply could not be fit into the work.

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[5] Please note that throughout this work the Sinclairs of Herdmanston will be referred to simply as the 'Herdmanstons' to avoid confusion with the main line of the Sinclairs (the Sinclairs of Roslin) who will be referred to as the earls of Orkney only when it is that individual, otherwise they will be the Sinclairs.

Describing the structure by political or social affinities, that is a 'study of magnate x's affinity in the years y-z,' is problematic.[6] The difficulty with that form in this situation is straightforward: the potential affinities overlap and/or exclude numerous important individuals entirely indefinable as belonging to a single affinity. This has placed the study in a somewhat unusual position within Scottish historiography. Most work on medieval Scotland, outside of that dealing with the general political narrative or those on religious, social and cultural institutions operating on a national scale, has focused on specific magnate families such as Boardman's work on the Campbells, Brown's on the Douglases or Young's on the Comyns, to cite recent examples. The two major exceptions to this tendency are urban history, which lends itself to the study of specific burghs, and the study of the Borders as a distinct region.[7] Nonetheless, this latter work has generally been concerned with how the Borders relate to the larger political narrative of the Scottish kingdom; as such its focus is understandably on the Crown and the great magnates. However, a specific strand in English history has been devoted to political histories focused on geographical regions, sometimes as specific as individual parishes, rather than political groupings. The southeastern structure, with a large number of relatively unattached individuals, lends itself to using a geographical defined area of study similar to that used in England.

Consequently, the approach used in this thesis is directed in part by the historical methodology used in studying the political communities of the medieval English shires, in particular the work by Carpenter, Lander and Saul.[8] These studies have been concerned with describing the entire political community in specific regions.[9] Carpenter's work in particular has drawn attention to three important

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[6] The classic example is Grant's: A. Grant, 'Acts of Lordship: The Records of Archibald, Fourth Earl of Douglas', in T. Brotherstone & D. Ditchburn (eds.), *Freedom and Authority: Scotland c.1050-c.1650* (East Linton, 2000)

[7] For example: A.J. Macdonald, *Border Bloodshed: Scotland and England at War, 1369-1403* (East Linton, 2000)

[8] C. Carpenter, *Locality and Polity: A Study of Warwickshire Landed Society, 1401-1499* (Cambridge, 1992); 'The Beauchamp Affinity: A Study of Bastard Feudalism at Work', *English Historical Review* 95 (1980) 514-532; 'Gentry and Community in Medieval England', *Journal of British Studies* 33 (1984) 340-380; C. Given-Wilson, *The English Nobility*; C. Given-Wilson, *The Royal Household and the King's Affinity: service, politics and finance in England, 1360-1413* (New Haven, 1986); J.R. Lander, *Government and Community* (London, 1980); N. Saul, *Knights and Esquires: the Gloucestershire Gentry in the fourteenth century* (Oxford, 1981).

[9] For the usage and concept of the term 'community' in medieval history, specifically English, see Carpenter, 'Gentry and Community', 340-342.

points: first that the natural geographic limits of a region generally do not coincide with the administrative boundaries, such as they were, at this time. This is particularly evident in southeast Scotland.[10] Secondly, relationships were based on more than geographic proximity. The need for mutual trust and circumstance played equally important roles. Lastly, a noble's control of a region was not created by mathematical dominance. Instead the hierarchy is held together by strategic recruitment and the 'friends of friends' syndrome.[11] This last point is absolutely critical in southeast Scotland where no magnate had the ability to gain mathematical, territorial, dominance. The rise of the earls of Douglas in the region can be explained almost entirely in terms of their ability to recruit support from the second rank of nobility, who should be viewed as regional allies of the earls and not as individuals entirely subservient.

The usage of an essentially foreign model has created some serious problems due to the nature of the extant evidence and the institutional structures of the society. The English record retains numerous estate books, parish accounts and an overall greater amount of material, which permits English historians to track either a family or a region throughout the late medieval period. Parish X is often a recoverable historical entity in the English record which, in this period, is not possible in the Scottish. The primary Scottish records of the medieval era are the Exchequer Rolls and the Great Seal and tend to be closely associated with the royal government at a national level.

Additionally, many of the private Scottish records tend to have survived, not as the records of estate X, but in charter collections developed for a particular family. Consequently, regions fade into and out of the picture as the family's concerns shift. This difference in record survival makes it difficult to recreate accurately a political network on geographic terms in Scotland. The pattern of survival also serves as an important reminder that the society continued to be structured around familial and personal patterns and not imposed geographical units such as parishes.[12]

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[10] See Southeast Geography, 22-24.
[11] Carpenter, 'Gentry and Community', 354-355, 360, 367
[12] For a discussion of record survival in Scotland see: A. Grant, 'Service and Tenure in Late Medieval Scotland, 1314-1475', in A. Curry & E. Matthew (eds.), *Concepts and Patterns of Service in the Later Middle Ages* (Woodbridge, 2000), 146-9

The thesis' argument is heavily dependent on the use of witness lists to judge the size and composition of the region's affinities. While this is the only reasonable approach to the problem, it does bring with it a set of unanswerable objections. The witness list does not tell the historian why the individuals were there and, particularly with the royal charters drawn up by the chancery, the argument has been made that the witness lists were formulaic. Additionally, it has been suggested, as with the previous argument, that, at least in the English record, some of the royal witnesses under Henry IV were encouraged to attend court not because they favoured the king's policies but because it was a way by which the king could keep them under control.[13] However, while these two objections may well be of merit when dealing with the royal court, they are less convincing when considering the charters of the nobility. In particular, a pattern of formulaic charter witnesses is not evident. Distinct patterns of behaviour can be discerned. The counterpoint is well stated by Kelham: 'Those who were with a lord were likely to be there for good reason- if they were not members of his household or office-bearers they were probably present to seek or give counsel or aid.'[14] I would add that a social aspect was almost certainly involved. Legal matters do not have to have been the sole reason for a gathering, even if they are the only evidence for that gathering. The witness lists are most valuable when they can be paired with other evidence to support a behavioural pattern. While this evidence remains overwhelmingly legal, the record of travel, mercantile affairs, marriage, land deals, counsel, and the occasional physical remnant creates a probable pattern.

Despite the issues of suitability, Carpenter and Lander's work is instructive in the consideration of some of the fundamental assumptions made about social behaviour. These are ultimately drawn from sociological perspectives, in particular the concepts concerning social networks and cooperative and competitive behaviours. While the incomplete evidence of the Middle Ages prevents a comprehensive, quantified assessment of the entire network, an impression of its structure is possible. A network is composed entirely of the relationships between individuals. These relationships may be organized into two basic groups: multiplex:

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[13] These two objections are laid out in D. Biggs, 'Royal Charter Witness Lists', *English Historical Review* 119 (2004), 407-423 at p. 411, 416

[14] Kelham, *Bases of Magnatial Power,* 67-9

in which the relationship covers multiple roles (the earl's brother is also a leader of the local religious community) and uniplex: in which the relationships are confined to a single role.[15] The latter is generally found in industrialized, urban centres and does not closely concern this work; the former, more frequent in smaller, isolated communities, is common in the medieval period. Relationships can also be assessed in three other ways: the duration of contact, the frequency of contact and centrality. Duration of contact is generally more indicative of a substantial relationship than frequency; loyalty to a friend or family member seen only rarely is generally higher than that given to the postman who is seen on a daily basis but remains a virtual stranger. Most important in this study is the last form of assessment: centrality or the degree to which an individual is accessible to the other individuals in the network. This concept involves several important points: the basic idea that the greater the number of connections, the greater the power; that increased numbers of lateral links reduce the central figure's ability to exercise exclusive power; that the power of the central figure depends on his ability to monopolize the flow of information, goods and services; and that the central figure has a vested interest in reducing the number of independent links created by his ostensible followers.[16]

In addition to structure, the motivations ascribed to individuals have also been influenced by the concept of game theory, power and networks. The underlying assumption made about human behaviour is best expressed by Boissevain in his work on social networks:

> 'Within the social, cultural and ecological framework so established, people decide their course of action on the basis of what is best for themselves, and not only, as structural-functionalists would have us believe, on the basis of the accepted and sanctioned norms of behaviour. Man is thus also a manipulator, a self interested operator, as well as a moral being.'[17]

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[15] The degree of role overlap in the medieval period was far higher than might be assumed given the rigid ideal concept of three orders: R.K. Emmerson and P.J.P. Goldberg. ''The Lord Geoffrey had me made': Lordship and Labour in the Luttrell Psalter', in J. Bothwell (ed.), *The Problem of Labour in Fourteenth-Century England* (Woodbridge, 2000), 56, 63

[16] For this description of networks see: J. Boissevain, *Friends of Friends: Networks, Manipulators and Coalitions* (Oxford, 1974), 24-5, 29-30, 34, 41-2. This work was originally brought to my attention by Carpenter's work: 'Gentry and Community', 340-380.
See also: E. Kai, 'Foucault, deleuze, and the ontology of networks', *European Legacy- Towards New Paradigms* 10 (2005), 595-610. A. Plakans & C. Wetherall, 'Households and Kinship Networks: The costs and benefits of Contextualization', *Continuity and Change* 18 (2003), 49-76.

[17] Boissevain, *Friends of Friends*, 6

This self-interested and pragmatic mode of operation has five related assumptions about behaviour: that relationships vary according to the situation at hand; that the other relationships the individuals are invested in influence all other relationships; that people in conflict succeed due to influential allies who are capable of pressuring their rivals, not because of inherent righteousness, and therefore the individual with the greatest number of positive contacts is generally the strongest; that people can wield great power not because of a formal, recognized position but because of their contacts; and that all alliances are temporary.[18]

These sociological assumptions about networks are also expressed in history, both in the argument for the inherently businesslike nature of alliances in the medieval period and for the fundamentally temporary and self-serving nature of the political factions which dominated politics.[19] Lander, studying the English government of the 1400s, characterizes it as: 'a political system best looked upon as a complicated series of business relationships touching and intersecting at a great many points.'[20] Medieval politics was primarily 'negative' in operation, that is pre-occupied with maintaining order, rewarding supporters and protecting legal claims; it also, pragmatically, aimed at the widest possible cooperation amongst individuals in order to preserve the peace.[21] This encouraged a tendency to change alliances as circumstances dictated.

It follows then, that the level of influence an individual had socially and politically was directly related to the *number* of other people they were involved with, or could potentially contact, as opposed to their influence being determined solely by their proximity to a high status individual. This idea is well supported by the structure of the southeast in the late fourteenth century. In the southeast a high number of alternative, lateral options existed in the network because of the lack of any single territorially dominant magnate. Three great earls, the subsets within their own families or affinities, alongside the Crown, and its subsets, the large number of wealthy second rank nobility and the presence of multiple burghs all existed within a

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[18] Boissevain, *Friends of Friends*, 4-5.
[19] J.P. Genet, 'Political Theory and Local Communities in Later Medieval France and England', in J.R.L Highfield & R. Jeffs (eds.), *The Crown and Local Communities in England and France in the Fifteenth Century* (Gloucester, 1981), 24
[20] Lander, *Government and Community*, 174
[21] Lander, *Government and Community*, 183-4

region. This was further complicated by major uncertainties regarding the position of its southern border, bringing in an international element and a wide range of opportunity for advancement. In such a situation networks of support rather than delineated territory become the deciding factors.

The southeast's political structure in this period created a situation which encouraged both cooperation and competition in a fluid continuum.[22] Social mobility was enhanced by the existence of multiple sources of patronage; consequently the region had a number of families drawn from the second rank of nobility whose prominence in the regional or national system was dependent on their connections and not on territorial monopoly. It is these families that form the main focus of the study. The fundamental contention of the argument is that if the surviving records show sustained contact between an individual and multiple others of equal or higher rank, that individual cannot be solely ascribed to one affinity. Additionally, a level of autonomy must be permitted if that individual shows sustained action which is independent of the greater magnate with whom he generally appears.

The stability of a political network is dependent on the nature of the ties and affinities existing in the area. Network stability is not necessarily directly associated with individuals, consequently the system of power blocks should always be seen alongside the individual's motivation. The southeast's stucture in this period was remarkably resilient. Although individual fortunes varied dramatically, it was extremely difficult to remove entirely a group or family from power due to the lack of any single authority having majority control and the continued existence of alternative channels of patronage. The earl of March's ability to regain his earldom in 1409, the reappearances of the earls of Angus as active political participants despite a series of minorities, and the individuals able to promote their careers by interacting with both the Crown and other magnates despite political tensions between their patrons demonstrate this resilience. This is not to suggest a static system, but to suggest that during this era the lack of any single central authority created a situation that permitted the recorded prominence of a number of much smaller families than might otherwise have occurred without the 'open' competition

[22] The concept of a continuum of change is from Carpenter, *Locality and Polity*, 618

that persisted.[23] The gradual changes occurring throughout the fourteenth and fifteenth centuries in the form and type of government created a central authority and the more bureaucratic structures which would, eventually, create a different system in which the permanent and complete removal of rivals was far easier to accomplish.

The minor nobility orchestrated their rise in status via routes closely connected to land, but this constrained them in several critical ways. As landholders they still operated within a geographically bound structure. Consequently, their primary alliances (and feuds) tended to be with their neighbours. Furthermore, attaining status following the model of territorial control relied upon a limited commodity, land, available either by inheritance, marriage or forfeiture; with rare exceptions family territories were the work of generations, not an individual's active career. Sinclair's acquisition of the territorially intact earldom of Orkney was one of these rare cases. The overall trend in Scotland during the late 1300s favoured the concentration of land in the hands of only a few magnate families, by this period thirty-one earldoms and lordships were held by fifteen magnates from ten families and twenty-two of those were held by Douglas, Stewart, or Dunbar men.[24] The chances of an outsider gaining an entirely new piece of territory, never mind a contiguous one, were further lessened by the fact that heiresses in Scotland, unlike the rest of late medieval Europe, were relatively rare; in the fifteenth century there were only six marriages to significant heiresses amongst the top forty baronial families.[25] A family could still gain power through the acquisition of land; but it was generally the work of a family including the cadet branches; it was not the work of an individual.

In particular, the development of a bureaucratic administration created alternative methods of influence. The career administrator was nowhere near as common in Scotland as in England, the ultimate example of secular medieval bureaucracy. However, holding positions within the Crown's, or a major magnate's, administrative structure was a useful diversification for the smaller noble. In this

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[23] For monopoly's effect on a system see: N. Elias, 'Game Models' and 'On the Monopoly Mechanism', *On Civilization, Power and Knowledge: Selected Writings* (Chicago, 1997).
[24] A. Grant, *Independence and Nationhood* (Edinburgh, 1984), 123
[25] Grant, *Independence and Nationhood*, 129

study, the way in which offices are used is considered throughout, but is especially important in examining the Preston, Forrester and Herdmanston families.

The rise of men, often burgesses, who held offices of the Crown rather than territory was a trend occurring across Western Europe. It signalled the development of an increasingly complex and articulate political society containing not only the landed and clerical classes, but also men skilled in legal, financial and administrative fields.[26] This expansion was directly related to the sophistication of the legal code, indicative of an increasingly bureaucratic society; the demands of which would, by default, allow the development of a group of professional administrators who could create careers out of this need for service. The foundations for the ambitions of this group were politically and/or financially defined. The traditional 'feudal' constructs, even that of the 'money fief,' centred on personal loyalty and control of territorial units; but in these new offices political power was increasingly identified with the structure of the developing state. Fundamental to this change is the fact that the status connected with these offices was derived ultimately from the state, unlike traditional lordly status which originates from local territorial power.[27] The office of chamberlain or chancellor is a currency backed by the power of the government for which it stands; it has no meaning outside of that context.

The burgeoning bureaucracy of the late 1300s promised a large number of positions that were easier to exchange and collect than any amount of land. The growth of royal offices carried with it a latent promise of centralized authority that challenged the fragmented and locally organized feudal land structure. The existence of royal offices in the local society provided for the development of a channel of communication directly between the local community and the Crown that bypassed the regional magnates. By doing so it created the possibility for men previously confined to local affairs to gain a degree of influence with the Crown that might well surpass the men who, in the amount of territory under their control, were apparently far greater. This tendency, however, was curbed by practicality: these royal offices

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[26] E.P. Dennison, 'Power to the People? The Myth of the Medieval Burgh Community', in S. Foster (ed.), *Scottish Power Centres* (Glasgow, 1998), 106; G.L. Harris, 'Political Society and the Growth of Government in Late Medieval England', *Past and Present* 138 (1993), 28-57 at p. 34; S. Menache, 'The Failure of John XXII's Policy toward France and England: Reasons and Outcomes, 1316-1334', *Church History* 55 (1986), 423-437 at p. 423.

[27] B. Teschke, 'Geopolitical Relations in the European Middle Ages: History and Theory', *International Organization* 52 (1998), 325-358 at p. 343.

could, especially in the case of a weak central authority, be appropriated and controlled by men traditionally dominant in the region, and by doing so these magnates could turn a rival channel of power into another tool to reinforce their own authority, as well as gaining direct input with the Crown's power structure.[28] The fact that authority in a region still lay with the nobility who controlled the territory and not those who held posts in the government's administrative apparatus must be stressed, and it directly affected how offices were held and by whom.

In comparison with France or England, Scotland was slow in developing its legal and administrative bureaucracy.[29] Scottish lawyers, for example, were a recognized social group in the 1450s, but only created a recognized legal association in the sixteenth century; both stages of development were much later than that in other countries.[30] Nonetheless, this trend is evident, as is demonstrated by the rising numbers of notaries: in the fourteenth century thirty-five can be identified by name, as opposed to five before 1300. This growth was exponential: between 1400 and 1600 some 1500 notaries can be individually identified.[31] Additionally, the numerous men whose careers can be traced rising through offices based on their experience suggest a society where the administration and the control of that administration was increasingly both complex and necessary for effective government. Scotland lacked the body of literature that explicitly discussed the correct use of offices, such as Jean Juvenal II's *'A, a, a, nescio loqui'* or the manuals of Jean Le Bègue and Pierre Amer of France.[32] However, what works do exist from

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[28] P.R. Coss, 'Bastard Feudalism Revised: Reply', *Past and Present* 131 (1991), 190-203 at p. 191-2: see also P.R. Coss, 'Bastard Feudalism Revised', *Past and Present* 125 (1989), 27-64 for the entire discussion; Teschke, 'Geopolitical Relations', 344.

[29] The work on both the English and French medieval administrative structures is vast, as a starting point for England see: Rawcliffe, Horrox, Griffiths. Horrox, 'Service'; R.A. Griffiths, 'Public and Private Bureaucracies in England and Wales in the Fifteenth Century.' *Transactions of the Royal Historical Society* 5th ser. 30 (1980), 109-130; C. Rawcliffe, 'Baronial Councils in the Later Middle Ages', in C. Ross (ed.), *Patronage, Pedigree and Power in Later Medieval England* (Gloucester, 1979); C. Rawcliffe, 'English Noblemen and their Advisors', *Journal of British Studies* 25 (1986), 157-177. For a discussion of the how the French administration's complexity directly affected local/semi-private ducal structures see: M. Jones, 'The material rewards of service in late medieval Brittany: ducal servants and their residences', in A. Curry & E. Matthews (eds.), *Concepts and Patterns of Service in the Later Middle Ages* (Woodbridge, 2000).

[30] J. Brundage, 'The Medieval Advocate's Profession', *Law and History Review* 6 (1988), 448.

[31] W.M. Gordon, 'Roman Law In Scotland', in R. Evan-Jones (ed.), *The Civil Law Tradition in Scotland* (Edinburgh, 1995), 17, 21

[32] K. Daly, 'Private vice, public service? Civil service and *chose publique* in fifteenth-century France', in A. Curry & E. Matthews (eds.), *Concepts and Patterns of Service in the Later Middle Ages* (Woodbridge, 2000)

Scotland in this period suggest that the authors or patrons were aware of the increasing complexity of government. Bower's work, while emphasising the ultimate authority of the king, includes several sections that deal directly with dangers of bad advisors and the need for good counsel.[33]

Naturally, the use of offices to advance an individual's status, as with other methods, did not exist in isolation and potential appointees to positions were still drawn from a small pool of landowning families. For example, Henry Sinclair under Robert I may have used his position as the king's baillie in Caithness to begin building contacts north of the Forth, but it was an aside in a career built on military success and territorial extension, it was not a primary component.[34] The reasons for office holding to be used in conjunction with military, territorial or marital approaches relate to both the development of effective government and to personal advancement. Slow communications, family and local loyalties and local particularism forced the Crown to rely on indirect control via deputized local elites so the latent promise of a strong centrally directed authority was not yet fulfilled.[35] Consquently, the duties tied to the offices could not be effectively carried out unless the individual had either a significant source of power of his own or an amicable working relationship with the surrounding nobility, leading back to territorial or personal contacts. A primary reason for the individual to approach office-holding as simply another method to extend existing influences was the fact that the status of an office was vulnerable to changes in the government: an office did not necessarily confer an automatic and set level of status. In Scotland, and elsewhere in Europe, the bureaucracy had yet to develop the self-generating nature that could survive power disputes amongst the ruling elites; one of the principle characteristics of the modern civil service is this resilience, which is created by the separation between the executive powers and the actual administrative machinery of the state.

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[33] S. Mapstone, 'Bower on Kingship', in D.E.R. Watt (ed.), Bower, *Scotichronicon*, ix, (Aberdeen, 1998), 322, 336-7

[34] *Orkney Recs.* 6-8; *RRS-Robert I* no. 195

[35] Effective government by magnates was only possible with the co-operation of the local elites; this problem was not confined to the Crown. Harris, 'Political Society and the Growth of Government in Late Medieval England', 32-4, 54

The Southeast Geography and Its Historical Impact:

The south-eastern region is possibly the most complex region in Scotland; it lacks clear territorial, social or administrative delineation and is comprised of multiple overlapping methods of ordering both the society and the territory during the Middle Ages.[1] By the 1300s the region was roughly divided into two main geographic areas: Lothian and the March. Geographically these two regions are separated by the uplands comprising the Lammermuir and Moorfoot hills, although the exact point of distinction is not always clear and does not necessarily correspond with either elevation or watershed changes. The geographic division between these two regions, created by the uplands, was probably increasing during the fourteenth and fifteenth centuries due to a combination of economic and climatic shifts. However, it must be stressed that this geographic division is not reflected in the period's social structure. Numerous families held in the Borders and Edinburgh regions. The economic shift is composed of two parts. The first, relatively abrupt impact was the permanent loss of Berwick on Tweed and, for all practical purposes, Roxburgh, previously two of the major Scottish urban centres. The second part was the chronic Border hostilities, which devastated otherwise rich agricultural areas. In determining a region's agricultural value it is the likelihood of crop failure that is the final deciding point. In the Scottish Borders periodic warfare was combined with a less favourable climate. It would seem logical that both factors were taken into account for the area in the 1300s when assessing the odds of crop failure. The area did not become unsuitable for agriculture, a region is no longer worthwhile for commercial investment does not translate to the region being unused for subsistence or small tenant farms, but investment may have declined or been focused on other endeavours, such as sheep rather than crops. The precise level of war's impact on the region is debatable. In a study of the corresponding English region (south Tweedside) Lomas has argued that the zone in which war had a long-term detrimental effect was relatively narrow. Elsewhere, the impact was marginal: while raids exacerbated poor conditions, especially in the short term, war was not the sole cause of the region's economic decline.[2] However, it is clear that the perceived

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[1] The tendency of regions to not correspond with political boundaries is noted in: J.C. Russell, *Medieval Regions and their Cities* (Newton Abbot, 1972), 16

[2] R. Lomas, 'The Impact of Border Warfare', *SHR* 75 (1996), 143-67

threat of war did create a sense of insecurity in the general population and property destruction was a consistent concern.[3]

At the higher elevations the Borders region saw a decline in population by the fifteenth century, although the economic impact for the landowning population may have been lessened by the shift to a pastoral economy. Nonetheless this depopulation, most evident in the Lammermuirs, from the late medieval period onwards is a possible indicator of economic difficulty or, at the least, a more narrowly based economy. An additional indicator is the decline in extravagant re-buildings or additions to the large monastic houses of the Borders, the greatest landholders in the region, despite what amounts to a building boom in both ecclesiastical and secular structures in the Lothian area.[4] In sharp contrast to the Borders was the impressive rise of Edinburgh as the trading centre of Scotland and the wealth of its shire, as evidenced by its ability to support multiple large towns and an expanding noble population. Economically, the two regions were moving in opposite directions, even adjusting for the overall decline in the economy. The disparity between the two regions was probably accentuated by Lothian's urban development, Edinburgh and Haddington, and the March's loss of urban centres, Berwick on Tweed and Roxburgh, than by direct long-terms effects of war on the agricultural regions.

This distinction was aided by climatic shifts which caused the gradual expansion of moor land and marginal land in the Lammermuirs, accelerating the growing socio-political separation. Marginal land in the Lammermuirs began to spread in this period. After circa 1250 high-lying lands in southeast Scotland were increasingly sub-marginal for commercial cereal cropping.[5] Today, more than

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[3] A. Goodman, 'The Anglo-Scottish Marches in the Fifteenth Century: A Frontier Society?', in R.A. Mason (ed.), *Scotland and England 1285-1815* (Edinburgh, 1987), 22

[4] This cannot be simply put down to difficulties specific to the monastic houses; the Borders simply do not contain the ornate collegiate churches nor the numerous secular tower houses, of which many in Lothian cannot be considered to be practical defensive models. See the RCAHMS Canmore database.

[5] The definition of marginal land is based on the likelihood of crop failure: in the upland areas the 1150-1250 period had an average chance crop failure at 1 in 20; by the 1400s it was 1 in 5 or 1 in 4 making commercial success impossible; at even odds land is sub-marginal for subsistence, this occurred in the area during the 1600-1700 period. M.L. Parry, 'Secular Climatic Change and Marginal Agriculture', *Trans. of the Institute of British Geographers* 64 (1975), 1-13 at p. 5. See also: M.L. Parry, 'The Mapping of Abandoned Farmland in Upland Britain: An Exploratory Survey in Southeast Scotland', *The Geographical Journal* 142 (1976), 101-110.

4890ha of moor land/pasturage in the Lammermuirs exhibits crop-ridges indicative of previous sustained cultivation, supporting the charter evidence of major grants in the area. Over 60% of this land was abandoned by 1800. Additionally there is evidence of some fifteen settlements abandoned before 1600 and another twelve between 1600 and 1750. The existence of settlements strongly suggests that the cultivation of this land was not confined to a brief over-optimistic extension, but was a sustained investment. This loss of cultivatable land roughly corresponds to elevation change: in 1150-1250 the limit was 450m; in 1300 it was estimated at 400m. This decline accelerated in the following centuries: by 1600 the upper limit for reliable crop growth was 260-275m. This more than doubled the marginal land area, and in doing so created a boundary running southwest to northeast.[6] This pattern corresponds with the estimated shift across Scotland in which a warm phase between 1150 and 1300 was followed by a gradual cooling phase which would, with some possible interruptions, culminate in the Little Ice Age of 1550-1700, with particularly severe results in eastern Scotland.[7] This climatic change should not be construed as the sole, or even the primary, impetus behind the division of the two regions, or even for the settlement abandonment; nonetheless as a long-term, indirect causal factor it does need to be kept in mind. It serves as a reminder that the modern perception of the Lammermuirs may not be accurate for the medieval era: the marginalization of the area was in its formative stages and the permanence of the shift could not have been evident, even if it unconsciously supported socio-political changes.[8]

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[6] Parry, 'Secular Climatic Change' 8-9

[7] K.J. Edwards, 'Palynological Evidence for the growing of Cannabis Sativa L. (hemp) in medieval and historical Scotland', *Trans of the Institute of British Geographers* new ser. 15 (1990), 60-69 at p. 67

[8] Parry, 'Secular Climatic Change' 11-12

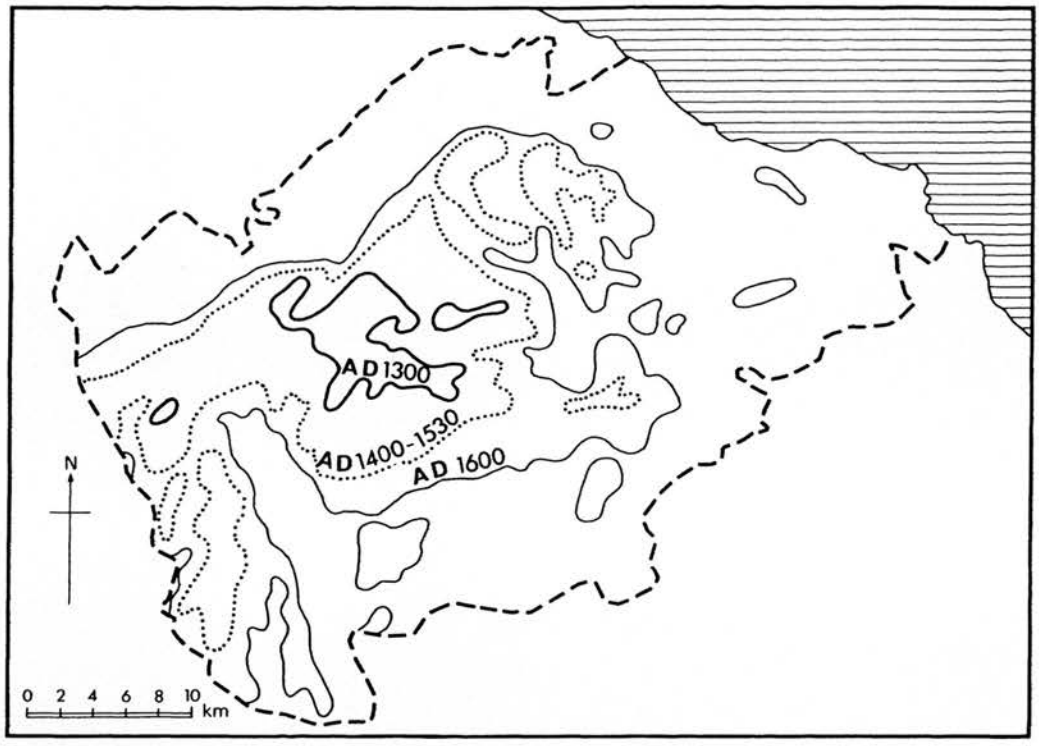

Fig.1: Lammermuirs, southeast Scotland, showing expansion of sub marginal land determined by climatic conditions. Image from: Parry, 'Secular Climate Change' page 9.

The south-eastern region, as might be expected, did not have precise boundaries, aside of course from the north and eastern coasts. To the west it gradually narrowed, though it included, both socially and administratively, both sides of the Pentland Hills, its western border just beyond Linlithgow angled to the east as one moved south. The western delineation of Lothian largely corresponded to the southern and western limits of the ecclesiastical jurisdiction of the St Andrews diocese. Ecclesiastically, the division of Edinburghshire was mirrored by the archdeaconry of Lothian which was split into the deaneries of Linlithgow and Haddington. But, there is one glaring deviation between the shire units and the ecclesiastical: Berwickshire comprised the third deanery, Merse, under the control of the archdeacon of Lothian. Berwickshire's inclusion in St Andrews set it apart from the rest of the Border shires, the rest of which were controlled by the diocese of Glasgow under the supervision of the archdeacon of Teviotdale (Roxburgh, Selkirk,

Peebles etc.). This distinction must be kept in mind and considered in conjunction with the other tendencies for overlap between Berwickshire and Lothian.[9]

Only the southern boundary of Lothian is difficult to trace: where it ran along the Lammermuirs the boundary followed the watershed. However this is a form of delineation that is clear on the large scale but notoriously obscure on the ground, especially in a region with moderately high rainfall levels. On the whole Lothian, or Edinburghshire, is relatively easily drawn on a map; the March, however, is a rather different proposition. The first issue with the March is that, unlike Lothian, it was never defined as a single administrative unit. Legally, the March stretched from the River Cree in the west to the North Sea in the east, bounded on the north by the Southern Uplands and the Lammermuir hills. This was further divided into West, East and sometimes Mid Marches. The second two marches are the ones of primary interest to this study; but this division was never drawn on a map and was determined by the capabilities and interests of the individuals involved, creating an inherently flexible situation. The southern boundary of the March shifted due to political reasons, for example the recovery of Teviotdale in 1384. But, its northern and western limits are no clearer; it is not without reason that the gazetteer of Scotland has four subtly different definitions of it. The March, today, is technically the southern section of Berwickshire. But in popular terminology it is the whole of Berwickshire including the Lammermuirs and Lauderdale. The uncertainty of these northern boundaries it is stated in the Ordnance Gazetteer: 'the northern boundary (of Berwickshire) is a fitful line, partly along the watershed of the Lammermuir hills, partly far down their declivities, and isolates or includes a detached portion of one of the Haddingtonshire (modern terminology) parishes.' And: 'The limits of Lauderdale, as regards the usage of calling it a distinct district, cannot be defined, and must probably be understood as including simply the basin of Leader Water and its tributaries, so far as the basin is in Berwickshire.'[10]

Geographically, the March is the low country between the Lammermuirs and the Tweed including parts of Roxburghshire north of the Tweed. It is, however, the old political idea of the March that is the most important: that is the champaign country between the Lammermuirs and the Cheviots including the lowlands of

[9] *Ordnance Gazetter of Scotland*, v, 28
[10] *Ordnance Gazetter*, i, 152-3; iv, 475

Teviotdale with Roxburgh regarded as the area's capital town.[11] An example of how Roxburgh was regarded as being part of the March socially may be observed in the events of 1379-85. During these years the town was the focus for retaliatory and pre-emptive raids by both the Earl of March and the English Lord Greystoke aimed at maximum, high profile damage on the East March.[12] The (East) March, therefore, in general terms was Berwickshire and much of Roxburghshire.

However, despite attempts to delineate the March by geography, ecclesiastical units or the presence of March law, the one thing it cannot be defined by is any sense of exclusivity in regard to Border affairs.[13] Macdonald points out this March area included areas in the west that apparently were never raided in the medieval era, while excluding large portions of Lothian that suffered repeated and devastating raids. He notes:

> 'Contemporaries realised, also, that the administrative areas which were considered to be the Marches did not correspond precisely with the practical bounds of the Marches. So, in 1398 when it was decided that immigrants should be removed by both realms from areas of sensitivity close to the Border line, they were to be removed south of the Tyne in England. The Scottish equivalent, however, was Edinburgh, which has never been regarded by historians as a town which directly bordered the Anglo-Scottish frontier zone.'[14]

It is this social and economic reason that forbids the study of the March apart from Lothian. In this period the two areas must be considered together as the southeast.

Alongside the administrative structure of the region, the transportation and trade networks of the southeast need to be considered, in particular the function and position of the burghs. Unlike areas dominated by one major centre, such as

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[11] *Ordnance Gazetter*, v, 28
[12] *Pluscardensis, ii, 238-244*
[13] That the Border's uniqueness is, at least partially, a modern construct, especially in law, has been suggested: 'A frontier code, capable of solving by retribution and reparations international feuding on debatable land, serves as a powerful counter to protagonists of the Borders as a problem area of unmitigated turbulence from the fourteenth to the seventeenth centuries. Such colourful caricaturing cannot be sustained, notwithstanding the activities of Sir Walter Scott, other historical novelists and tourists boards, albeit conflict resolution was most effective when backed up by armed might. At the root of any problem on the Borders was aggression by central government, more usually that of Scotland rather than England given the willingness of the former to mount incursions in furtherance of the 'Auld Alliance' with France.' 'Introduction,' in A.I. Macinnes, T. Riis, F. Pedersen (eds.), *Ships, Guns and Bibles in the North Sea and Baltic States* (East Linton, 2000), p.xiii-xiv
[14] Macdonald, *Border Bloodshed*, 203

Aberdeenshire, the southeast had multiple burghs which maintained consistent overlapping presences.[15] Edinburgh dominated foreign trade and, especially by the late 1350s, the wool trade. However, its impressive growth in this period and its status as the largest burgh did not prevent the continued existence and expansion of the other burghs.[16] Both Linlithgow, whose importance as a burgh began in this period, and Haddington remained regionally and nationally significant; whilst North Berwick and Dunbar continued to be of political, if not economic, importance. This situation meant that, as with the nobility, the burghs in the south-eastern region must be considered as a system rather than as discrete entities.[17]

Linlithgow and Haddington are almost equidistant from Edinburgh, twenty miles, in opposite directions. Linlithgow is also located approximately halfway between Edinburgh and Stirling, assuming travel up the south side of the Forth River. Haddington is positioned almost in the geographic centre of East Lothian with Dunbar and North Berwick approximately twelve miles away, as are the Lammermuir Hills which are the topographic and traditional division between East Lothian and the region generally defined as the Borders. Closer to Haddington were the baronial centres of East Linton, Gifford, Dirleton, Longniddry, and Haddington's port of Aberlady. All of these centres are sufficiently close that a return journey in a single day with a cart was not an impossible proposition. Twelve miles is generally considered to be a reasonable day's travel with an ox-cart or on foot; however, the twenty miles to Edinburgh was definitely a full day's travel.[18] Studies of transportation in medieval England support this estimation: a day's average travel, with a cart, varied between 10 to 14 miles in Essex and 22 miles in Northamptonshire, with one unusual instance of 31 miles. Distances with a pack-horse seem to have roughly similar: varying between 9 and 29 miles; the inference

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[15] See: H.W. Booton, 'Inland Trade: A study of Aberdeen in the Later Middle Ages', in M. Lynch (ed.), *The Scottish Medieval Town* (Edinburgh, 1988)

[16] M. Brown, *The Wars of Scotland* (Edinburgh, 2004), 319; D. Ditchburn, *Scotland and Europe* (East Linton, 2000), 168; D. Ditchburn, 'Trade with Northern Europe, 1297-1540' in M. Lynch (ed.), *The Scottish Medieval Town* (Edinburgh, 1988), 163

[17] An approach which, arguably, should be applied to the entire kingdom; as Ewan notes in her thesis, the burghs must be seen as part of a system of kingdom-wide interaction in which the particularism and the town/country divide evident in Flanders or Germany did not appear. E.L. Ewan, *The Burgesses of Fourteenth Century Scotland: A Social History*, (University of Edinburgh, PhD, 1984) 306, 310

[18] These distances are based on modern estimates and personal knowledge of the distances a horse can travel in a day in the given circumstances. Russell, *Medieval Regions,* 27-8

here is that pack-horses would only have been used in adverse terrain, thereby cancelling out their greater speed.[19] The slowest group of travellers would be drovers of livestock: their daily journey might easily average less than ten miles. It has also been found in England that even those travelling on the king's business, and therefore presumably both more urgent in need and better mounted, tended to average between 20 and 30 miles in a day, with the usual pace being somewhat closer to 20.[20]

The nature of overland transport in medieval Scotland is notoriously difficult to judge. Nonetheless it is apparent that at least the remnants of the northern extension of the Roman road network remained in use in south-eastern Scotland.[21] There is no definitive evidence to suggest that they were regularly maintained; but the alignments of the major roads were similar between the two periods, suggesting some level of continued use, and this combined with at least a slightly higher quality of road-base would have given the region, already at an advantage due to less difficult terrain, a set of roads and tracks better than those found elsewhere in Scotland. The spine of this network was the alignment known in the Anglo-Saxon period as Dere Street and in the Middle Ages as the king's highway, *via Regis*: coming up from Roxburgh through Lauderdale, descending the north face of the Lammermuirs at Soutra Aisle and then splitting with one branch leading to Haddington and the other, by way of Dalkeith and Ford, going to Edinburgh and the old Roman camp near Queensferry.[22] This Lauderdale route was the main invasion route, and the time to travel its length seems to have remained approximately the same at 2-3 days from Tweeddale to the Lothian Tyne whether the army was that of Septimus Severus in 209, Edward I in 1298 or Protector Somerset in 1547.[23] Another major route, also based on a Roman alignment, ran from Selkirk to Peebles and then west to join upper Clydesdale, while an offshoot of this formed another

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[19] J. Masschaele, 'Transport Costs in Medieval England', *Economic History Review* 46 (1993), 266-279 at p. 270

[20] F.M. Stenton, 'The Road System of Medieval England' *Economic History Review* 7 (1936), 1-21 at p. 16, 18

[21] This was commonplace: Russell, *Medieval Regions*, 233

[22] G.W.S. Barrow, 'Land-Routes: the Medieval Evidence', in A. Fenton & G. Stell (eds.), *Loads and Roads in Scotland and Beyond* (Edinburgh 1984), 52-3. This route was used in the 1385 hostilities: *Atlas of Scottish History* 108-9 See also: G. Maxwell, 'The Roman Experience: Parallel Lines or Predestination', in N. MacDougall (ed.), *Scotland and War* (Edinburgh, 1991), 6, 9

[23] Maxwell, 'The Roman Experience', 6

critical path between Biggar and Edinburgh running southwest to northeast along the eastern edge of the Pentlands along the route of the current A702.[24] Meanwhile lesser roads, but of sufficient quality to carry siege engines in the Wars of Independence, connected Linlithgow to Queensferry, and thence Edinburgh, and extended west to Stirling.[25] Linlithgow alse served routes to Paisley, Ayr, and Bute.[26] There was also a coastal route from Berwick on Tweed to at least Cockburnspath but probably to Dunbar and Coldingham and north to North Berwick.[27] It has been argued that this was probably less popular than the Lauderdale route due to the necessity of crossing Coldingham Moor and the steep defile of Pease Burn.[28] It seems unlikely, given the regular appearances of the same individuals throughout the area, that an established set of paths did not connect Edinburgh to Haddington and thence to North Berwick. The route between Haddington and North Berwick and then south to Dunbar probably ran through East Linton and past the Hepburn castle of Hailes.[29] North Berwick itself was known as a stopping point for pilgrims going to and from St. Andrews; whilst much of this traffic may have been by sea, at least some traffic coming from the inland regions would have been funnelled through North Berwick.[30] This pilgrimage traffic to the North Berwick area was heading not only to the ferry terminus but also to the locally important shrines for St Baldred and for Our Lady at Whitekirk and so guaranteed a low but steady number of travellers on the coastal path.[31]

Solid evidence for the time needed to travel these distances can be found throughout the Middle Ages and supports the supposition that the time needed was roughly similar to travel times elsewhere, as might be expected. In 1303 the route from Biggar to Edinburgh, now the A702, was used by Sir John Comyn of Badenoch

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[24] Barrow, 'Land-Routes: the Medieval Evidence', 54
[25] Barrow, 'Land-Routes: the Medieval Evidence' 52
[26] Pers. Comm. with Dr. Boardman
[27] *ER*, iv, 476; Barrow, 'Land-Routes: the Medieval Evidence' 62
Dunbar seems to have possessed good overland connections: it was to Dunbar that Edward II was chased in 1314. From there he boarded a boat to the south; and in 1385 the French force under Jean de Vienne landed in two groups, one at Leith and the other at Dunbar. Additionally the coastal route was used in 1384 by the English and in 1400 by the English, the earl of March, and the Scottish. *Atlas of Scottish History,* 108-9; R. Nicholson, *The Later Middle Ages* (Edinburgh, 1974), 90, 196
[28] C.J. Brooke, *Safe Sanctuaries* (Edinburgh, 2000), 16
[29] Bower, *Scotichronicon,* viii, 33
[30] E. Ewan, *Town-life in Fourteenth Century Scotland* (Edinburgh, 1990), 159
[31] P. Yeoman, *Pilgrimage in Medieval Scotland* (London, 1998), 49-51, 59-60

and Sir Simon Fraser to cover the thirty miles between Biggar and Roslin, at night and in February. They travelled with a force capable of attacking the English at Roslin the following day. This implies, in addition to the determination of the individuals involved, that the tracks and fords, especially over Lyne Water at West Linton, were well maintained and well used.[32] In 1401, to counter the English combined force of Hotspur and the earl of March, the earl of Douglas moved from Edinburgh castle to Pencraig Hill in less than day, a distance of around 25 miles; and in the following night chased the English down towards Cockburnspath.[33] In 1405 the earl of Orkney was at Linlithgow on 28th May; by 9th June, and almost certainly before then, he was at Berwick castle with a Scottish force brought to aid the Earl of Northumberland's rebellion.[34] Presumably this Scottish force had not been at Linlithgow with Orkney but was collected as he went south. Orkney's movements, and the collection of a force, required a usable network throughout the southeast and across the Border.

That this network varied in quality must be kept in mind. The movement by James IV in 1496 of an artillery train from Edinburgh to Haddington and thence to Johnscleuch illustrates this point. While it took less than a day to cover the twenty miles from Edinburgh to Haddington, the next ten miles took at least a day and more likely two.[35] This suggests a radical difference in quality between primary and secondary routes, at least in regards to wheeled traffic though the difference would have been less noticeable for a man on foot or horseback. Good roads reliably used, and useful, for any sort of heavy traffic may have existed only between the major points of settlement. Nonetheless, these instances taken in combination with the evidence of numerous individuals routinely travelling between various burghs and castles and the scattered manors and investments of both the nobility and the burgesses throughout the region suggests, for all its apparent invisibility, a

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[32] Barrow, 'Land-Routes: the Medieval Evidence' 54. Maxwell, 'The Roman Experience', 11 It suggests that the Scots had access to reasonably high quality horses, as this was a mounted contingent.

[33] Bower states they reached Pencraig before sunset, which since this was February, meant a very rapid movement indeed. Pencraig is almost certainly Pencraig wood, a vantage point just across the river from Hailes castle. Bower, *Scotichronicon*, viii, 33

[34] S. Boardman, *The Early Stewart Kings: Robert II and Robert III* (East Linton, 1996), 286-7; S.B. Chrimes, 'Some Letters of John Lancaster as Warden of the East Marches towards Scotland', *Speculum* 14 (1939), 3-27 at p. 6; *St A. Lib.*, 414-6; *Henry IV, Letters,* ii, 61-3

[35] D.H. Caldwell, 'The Use and Effect of Weapons: the Scottish Experience', *Review of Scottish Culture* 4 (1988), 53-62 at p. 57

transportation network in the south-east which could permit a relatively mobile population. In a sense this network becomes a circular and self-sustaining argument: the main routes of this topographic network were one of the necessary preconditions for the social and economic structure of the region, while the lesser tracks were likely a sustained development of its existence.

Additionally, in the coastal region much of the transportation of bulk goods may have been by small boats. Due to poor roads, the water remained the main route of supply for the smaller coastal towns into the 1800s.[36] The pattern of local coastal trade amongst the east coast burghs is further suggested by the pattern of the herring trade. While the details of the herring trade are only confirmable from the late 1400s, it is clear that at that time the east coast trade was generally inshore and local; more importantly, in contrast to the west coast herring trade, the east coast catch was taken to the nearest burgh where fresh or lightly salted herring dominated the local market.[37] Transport by water was far less expensive than that by land. Records of English sheriff purveyances in the fourteenth and fifteenth century are sufficiently complete to allow for the creation of an estimated ratio of costs at 8:4:1 comparing land, river and sea transport.[38] There is no reason to suppose that a broadly similar ratio should not be applied to medieval Scottish transport, though the actual cost per ton-mile may have been different. However, while coastal settlements probably developed a maritime trade network exploiting small, unrecorded, boats, inland towns, even if they were located on a river, were dependent on overland networks.[39] Small rivers, while possibly supplying water power for mills, are often not suitable for reliable transport; though, as in England, they were probably used whenever and wherever possible.[40]

The internal Scottish trade can be divided into three groups: imports that were brought to a port and then moved throughout the country; exports consolidated into

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[36] A. Graham, 'Archaeological Notes on Some Harbours in Eastern Scotland', *PSAS* 101 (1968-9), 200-285 at p. 200-1
[37] M. Rorke, 'The Scottish Herring Trade 1470-1600' *SHR* 84 (2005), 149-165 at p. 151-2
[38] Masschaele, 'Transport Costs', 273
[39] J. Schofield, *Medieval Towns: the archeology of British Towns in their European setting* (London, 2003), 37
[40] Stenton, 'The Road System of Medieval England', 19-20

one large shipment; and purely internal movements of goods.[41] Spanish iron imported at Kirkcudbright and then shipped to Linlithgow, Edinburgh and Dumbarton exemplifies the first pattern, which was likely most applicable to relatively specialized items, though these should not be considered 'luxury' items in the sense of being unnecessary. The second category, consolidation, where goods were customed at Linlithgow, Haddington or Cupar but shipped out of Leith, seems to have been dictated less by the type of goods and more by practicality.[42] Some of this trade, in particular the goods customed at a smaller port and then shipped out of Leith, is indicative of the fact that the smaller ports did not always have sufficient goods to make up an entire ship's cargo on their own and illustrates the pattern by which groups of merchants consolidated their business ventures. However, in some cases this movement was dictated by port conditions: ships were not available, as at Dunbar in 1429, or the harbour may not have been accessible, Aberlady which was accessible only under certain wind conditions may have had this problem.[43] Internal trade between ports is supported by links between Perth and Linlithgow, for example, in the salmon trade or between Crail and Edinburgh in herring.[44] The movement of fish between Perth, Aberdeen or Crail and the southern towns of Linlithgow and Edinburgh is interesting, for it suggests that these southern towns did not have fishing fleets that were large enough to support their local population and that occasional increases were created by the royal household for whom supplies were specially procured. Movement of grain is occasionally evident, as in 1404 when the abbot of Holyrood requisitioned meal in Inverkeithing for the use of men on the Marches.[45] The shipment of building goods, such as fir, oak and rafters between Linlithgow and Edinburgh or military supplies (for instance hemp for carriages) between Inverkeithing to Leith to Stirling illustrate the existence of this

[41] Although Russell does not examine Scotland (29), Edinburgh fits his model of the major town: frequently they acted as both the portal and centre of a region, and are not found at the region's *geographical* centre, such as Barcelona, Ghent, Lisbon, London, Lubeck and Montpellier. 'This condition was naturally favourable for large growth since the city enjoyed the advantages of both types. The basic factor of the jobs provided by trans-shipment to points within the region often added political administration advantages to central location.' Russell, *Medieval Regions*, 231-2

[42] *ER*, iv, 449, 498, 558, 562, 607

[43] *ER*, iv, 466

[44] *ER*, iii, 450, 423, 510

[45] *ER*, iii, 595

internal trade.[46] Interestingly, there is also evidence for a low level of internal coal trade along the coast: small, but regular, shipments, issued from Leith and other ports on the Forth, such as Dysart, destined for places at least as far to the north as Aberdeen.[47]

The importance of geographic location is evident in Linlithgow. Although it developed in the 1400s as a centre of court culture, the underlying reason for its importance was the location of Blackness.[48] Robert III's presence in the burgh was partly due to problems with control over Edinburgh in 1400-06, which made Linlithgow preferable as an alternate location unhampered by the growing power of the fourth earl of Douglas in Edinburgh.[49] However, Linlithgow's growth was also due to the location of the royal family's personal lands, which lay in the west. Blackness was the eastern terminus of the overland routes to Paisley, Bute, Renfrew, Glasgow and other areas, as such it functioned as a transfer point between international trade routes, Lothian and the southwest more easily than either Edinburgh or Stirling.[50] In doing so it helped to fulfil the Crown's political need to connect the regions and its economic interests because the North Sea routes to the Low Countries, the Baltic, England and France were more lucrative than the Irish Sea extension of the west coast trade routes, which were dominated by the French and the English.[51] However, it was the port of Blackness that was crucial to this role; Linlithgow happened to be the beneficiary of this circumstance by dint of being the closest royal burgh to the growing port.

Blackness' role is observable in the pattern of wine shipments recorded in the Exchequer. Under David II, as under other kings, wine was bought for the king's use or as gifts to either individuals or religious institutions.[52] However, under Robert II a

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[46] *ER,* ii, 64; iv, 391,438 617

[47] J. Hatcher, *The History of the British Coal Industry*, i, (Oxford, 1993), 98. Coal as a low value bulk item was ideal for maritime trade.

[48] It is important to note that Linlithgow was a palace, not a castle, and was an administrative location, not a military stronghold along the lines of Stirling or Edinburgh. As such it was established as a location of the court centred upon the personage of the king as an active individual and not the controlling figure in a minority or regency.

[49] See Chronology 1400-06, 98, 106-108

[50] Pers. Comm. Dr Boardman; A. Stevenson, 'Trade with the South', in M. Lynch (ed.), *The Scottish Medieval Town* (Edinburgh, 1988), 190

[51] D. Hall, *Burgess, Merchant and Priest* (Edinburgh, 2002), 40-1

[52] For example in 1360 David II gave the Countess of Wigtown a pipe of wine at Linlithgow *ER*, ii, 12; and Robert II gave Sir John Danielston wine in 1379 *ER*, ii, 608.

more complex pattern emerges. Wine was carted from Edinburgh to Linlithgow, and vice versa, from Aberdeen to Edinburgh for Christmas celebrations, from Dundee to Stirling and from Edinburgh to Dumbarton.[53] Beginning in the 1370s and continuing throughout the 1380s, however, regular shipments of wine were dispatched to Renfrew, Bute, and Glasgow for the king's use. What is interesting about these shipments is that while three of the records state that wine was shipped from Edinburgh to Bute in 1376, 1377 and 1379; between 1373 and 1389 four of the mentions are Linlithgow to Glasgow, Renfrew, or Bute; and three are Blackness to Bute. This is a very different orientation than that under David II. Furthermore the importance of the port of Blackness as a distinct location is apparent. It, not Linlithgow, is named as the recipient of wine from Dundee in 1382 and herrings from Crail in 1405; while Blackness is also recorded as the offloading point for carriages and honey bound for Glasgow in 1380.[54] This pattern, while illuminating the different preferences of the kings and the importance of various towns, also returns to the Scottish trade routes: in the fourteenth and fifteenth centuries wine imports, including Rhenish, Burgundian and French wines, came primarily from the Netherlands, no Scottish ships are recorded at the Bordeaux customs.[55] Linlithgow, on the east coast, was a part of this pre-existing preferential trade network. Although the west coast had more direct French and English contacts, the overland costs from Linlithgow were countered by the popularity of the east coast imports, erasing any possible benefits of direct sea links between Bute and the Continent.

Although Linlithgow-Blackness benefited from inter-regional and international trade, the winner in location was Edinburgh. Already located at the terminus of the southern overland route, Edinburgh, or Leith and Queensferry, became the logical jumping off point for trade throughout the lowlands; travel to Stirlingshire, Perthshire, Renfrew, Ayrshire and points to the northwest took the individual along the south coast of the Forth at least to Queensferry. Leith handled goods cocketed not only at Edinburgh but also from elsewhere along the Forth and occasionally as far north as Tain and Dingwall. It was the closest major port to the international market, and as such was a convenient place to assemble convoys for

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[53] *ER*, ii, 29, 58, 65, 78, 79
[54] *ER*, ii, 421, 520, 551, 553, 605; iii, 2, 8, 50, 59, 65, 97, 173, 638, 654
[55] Ditchburn, *Scotland and Europe*, 154-55

export or to disassemble those importing.[56] Consequently, Leith, rather than North Berwick, also served the majority of east coast traffic, whether it was headed north or south. Edinburgh was an almost inevitable waypoint for traffic in Scotland that was going beyond the southeast or the Borders region. Edinburgh's geographic location can be seen as the necessary condition out of which all other reasons for its dominant position developed.

Edinburgh's dominance should not be overstated, unlike Paris or London, it was not the seat of an increasingly sedentary royal government, and the peripatetic nature of the Stewart monarchy was a continuing feature in this period. Nor did other administrative aspects of the Crown base themselves solely in Edinburgh: Exchequer audits, councils and Parliaments continued to meet elsewhere, especially at Perth and Stirling. Nonetheless, there seems to have been an increasing tendency to use Edinburgh as a convenient meeting point where business, even if not connected to Edinburgh, was conducted. An early example of this is in 1387: a bond of friendship between Henry Sinclair, earl of Orkney, and Malise Sperra, erstwhile claimant to Orkney, made in the presence of the earl of Douglas in Edinburgh.[57] Most crucially there is also the undeniable fact that beginning under David II the majority of royal charters were iisued from Edinburgh; a pattern which increased exponentially under James I and the fifteenth-century monarchs.

Edinburgh's dominance in the number of charters issued was similar to its economic dominance. However, while Edinburgh was dominant both economically and administratively, this equal spread was not typical of other smaller burghs, which generally were strong in only one sector. Edinburgh's advantage was that it was strong across the entire spectrum, not simply in one aspect. This is true within the sectors of economics and administration as well. This is best illustrated by the trade figures which show that Edinburgh not only dominated trade, but dominated it in almost all forms of trade. Although this topic has been thoroughly considered elsewhere, the basic figures should be considered. By 1425-31 Edinburgh had

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[56] D. Ditchburn, 'Port Towns: Scotland 1300-1540', in D.M. Palliser (ed.), *The Cambridge Urban History of Britain*, i, (Cambridge, 2000), 501

[57] Fraser, *Douglas*, iii, no. 337; Edinburgh's assumed location as the typical meeting place for the government is evident in a 1427 precept which requested Duncan Campbell to appear before the council with the assumption that the likely meeting point would be Edinburgh. *Highland Papers,* i, 158-9

59.2%[58] of export market in cloth, 50% of woolfell, 45% of wool, and 25% of the hides, while in the emerging industries of coal and salt it held 75% and 100% respectively. The only markets Edinburgh did figure in to any appreciable degree were in salmon and in skins, both of which were cornered by Aberdeen.[59] This economic spread was vitally important, as it attracted a wide number of trades, thereby supporting a larger population. It also meant that the town was far less vulnerable to an economic downturn if one industry collapsed as others might not be as badly affected. The same concept of diversification, albeit unconscious, held true in considering the basic functions that a town supplied. Edinburgh supplied all three basic functions: economic, administrative and strategic. Its multiple roles may be contrasted with Aberdeen or Haddington, regional market centres that appear in the record because individuals had business there or used it as a convenient meeting spot; Perth, Stirling or Linlithgow whose prominence was created by royal favour and royal tradition; and St Andrews, which while a cathedral town and international port lacked any royal administrative presence. Indeed, even in the affairs of the Church, Edinburgh's profile was raised by the number of monastic institutions which owned land in or around the town, despite its lack of a cathedral and the accompanying administrative apparatus.[60]

It is important to note that the other port towns continued to export relatively stable amounts of wool between 1375 and 1431. The decline at Linlithgow, in particular, but also Haddington and North Berwick occurred between 1431 and 1475.[61] This suggests that Edinburgh was not immediately siphoning away from these smaller towns their traditional network of customers and suppliers; but that it was siphoning away any new growth, and, most importantly, those people that had previously relied on the town of Berwick on Tweed. In 1375-80 Edinburgh shipped approximately 95% of the English wool, with Haddington and North Berwick accounting for the rest;[62] this suggests that Scottish Border wool, coming from the same region as the English wool, probably went the same route. Berwick continued

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[58] Figures from Dennison and Coleman. E.P. Dennison & R. Coleman, *The Scottish Burgh Survey: Historic Linlithgow* (Edinburgh, 2000), 15
[59] *Atlas of Scottish History,* 242-3
[60] *Atlas of Scottish History* for comparative growth figures
[61] *Atlas of Scottish History,* 242
[62] *Atlas of Scottish History,* 243

to export Scottish wool; but its average for the years 1404-32 of 316 sacks of both English and Scottish wool was a massive decline from the previous century when 3,753 sacks were exported in 1333.[63] The records do not allow for the exports of individuals to be tracked, except in a few instances where remission of customs was granted. These occasional remissions do, however, hint at the growing importance of Edinburgh. Remissions granted to the Kerr family, a burgess family with links to the Borders, suggest the transfer of custom from Berwick to Edinburgh. However, by far the greatest remissions were granted to Melrose Abbey. Melrose Abbey had previously shipped its wool down the Tweed to Berwick, but when that port was closed to its traffic it shipped its wool out of Edinburgh rather than out of Haddington, despite the fact that the Lauderdale route that was likely used led to either town. Indeed had transport logistics been the only concern Melrose ought to have shipped out of Dunbar or North Berwick, the former at the least very accessible by the coastal road.

The answer to this problem may be that Edinburgh was already a focal point for business that the Abbey needed to conduct: it was already the most likely place to be able to conduct affairs in person with the Crown, other Scots, or foreigners, it was the most likely to have shipments of foreign goods for sale, and had, or was establishing, access to a decent harbour far better than could be offered at any of the other towns with the exception of North Berwick.[64] An examination of Dundee in the thirteenth and fourteenth centuries reveals a similar symbiotic relationship. From 1207 Arbroath Abbey traded through Dundee and Perth, due to difficulties with its harbour; Coupar Angus, Lindores and Balmerino also apparently traded through the Dundee and its merchants. By the fourteenth century all of these monastic houses, along with St Andrews Augustinian Priory, were major landholders in Dundee, their holding providing a base for trade activities and rental income.[65] That Edinburgh should be used in the same way is hardly surprising.

While Edinburgh was unquestionably the largest or most important centre, drawing in people and custom from multiple regions, it did not overwhelm the other towns in the region, partly because they had their own distinct strengths and

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[63] Ditchburn, *Scotland and Europe*, 168
[64] Graham, 'Archaeological Notes', 257-8
[65] McDonald, 'Reconstructing Twelfth and Thirteenth Century Dundee',13-14

characteristics. The royal burgh of Haddington was a town in the second rank in Scotland; but after Edinburgh it was probably the most important town in the south-east. As previously mentioned Haddington is located approximately one day's journey east of Edinburgh.[66] It probably had a long tradition as a transportation crossroads, at it was one of the terminuses of Dere Street.[67] It was the regional market town. Hints that the region, as a whole, had a robust economy are found in both the written and the physical record. The burgh of Haddington had its own mill by the 1360s and Bower notes that the Tyne River had at the least twelve mills by 1421, or possibly more since those are only the ones recorded as destroyed in a flood of that year on that river.[68] As has been noted in other studies, mills of all types tended to create a series of sub-industries directly connected to their development, maintenance, and supply.[69] The production of pottery may also have been economically important; the kiln site at Colstoun near Haddington is the only known production site for White Gritty Ware pottery, which is found throughout the region and as far a-field as Caithness, Orkney and Norway.[70] Additionally, Haddington had access to the international market through Aberlady. Its customs records report that wool, hides, rabbit skins, and lenternware were all exported from the port.[71] The Aberlady port, which is only an anchorage, has no deep-water access and westerly winds can still make departure difficult for sailing vessels. Indeed, the limited capabilities of medieval vessels would have made departure in westerly winds virtually impossible.[72] Nonetheless, Aberlady served Haddington relatively

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[66] In 1496 James IV's army and artillery train covered the distance in one day. Caldwell, 'The Use and Effect of Weapons: the Scottish Experience', 57.

[67] Note though that it is a crossroads within a region, not as is the case with Edinburgh a crossroads between regions. See Maxwell, 'The Roman Experience'

[68] *ER*, ii, 145, 246; Bower, *Scotichronicon*, viii, 125

[69] J. Ambler & J. Langdon, 'Lordship and Peasant Consumerism in the Milling Industry of Early Fourteenth-Century England', *Past and Present* 145 (1994), 3-46 at p. 4-5
These sub-industries could include international contacts: the best millstones, for example, came from the Seine valley in France, and at times Germany. See D.L. Farmer, 'Millstones for Medieval Manors.' *Agricultural History Review* 11 (1992), 97-111

[70] This does not, of course, necessarily mean that Colstoun was the only production site for this ware; other possible kiln sites have been identified in Fife. Furthermore, the general consensus that this type of pottery was generally produced on a local basis suggests that Colstoun was a local or regional, but not national, supplier. For more information see: Will, Bob et al. 'Sourcing Scottish Medieval White Gritty Ware.' Project 481: Glasgow University Archaeological Research Division.
http://www.guard.arts.gla.ac.uk/481/481index.htm
Ewan, *Town-life in Fourteenth-Century Scotland*, 35

[71] *ER*, iv, ad indicem

[72] Graham, 'Archaeological Notes', 212

successfully and it is rare in this period to find goods customed at Haddington being shipped from Leith or other ports.

Haddington is an excellent example of neutrality, convenience, geography being supplemented by a crucial administrative dimension to a town's traditional profile. This administrative aspect is perhaps hinted at by Bower, himself a native of Haddington, in his description of the town as the Lamp of Lothian; though he was specifically discussing St Mary's church. This description, combined with the town's large monastic presence and its business, suggests that it was the social, and therefore administrative, centre of the region. The town had a grammar school, which enjoyed a small level of Crown patronage in the 1380s. Its headmaster, William of Tranent, by virtue of his other position as the clerk of cocket for both Haddington and North Berwick, ensured that the school had active administrative links in the region.[73] Throughout this period the Haddington Franciscan friary routinely issued notarized copies of documents created elsewhere; an indication of the town's development as a place of business.[74] Additionally, the Franciscan friary had a library sufficiently extensive that Bower commented on damage done to it in a 1421 flood.[75] Haddington was not only a convenient place to conduct business though; it, as an abstract entity, was also capable of conducting business and issuing legal guarantees.

An excellent example of this administrative use of the town can be found in a 1407 charter by Robert Renton, lord of Lamberton.[76] The Rentons were local landowners with little prominence in regional affairs and no prominence in Scottish or international circles. Despite this the family was involved in extra-regional, and in this case international, property; in this case in Bruges, unsurprising given Bruges' stature in the Scottish wool trade and the number of Scots holding property there.[77] Such international property holdings did not necessarily require a person to be equally prominent in the charter records, which are the main gauge for estimating an individual's prominence in Scotland; but this international legal issue combined with

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[73] *ER,* ii, 602; iii, 120, 171, 211
[74] Fraser, *Douglas,* iii, no. 50, 56; Fraser, *Haddington,* no. 283; GD12/18, GD122/1/141
[75] Bower, *Scotichronicon,* viii, 125
[76] Mss *David Milne-Home* no. 500
[77] See A. Stevenson, 'Medieval Scottish Associations with Bruges', in T. Brotherstone & D. Ditchburn (eds.), *Freedom and Authority: Scotland c.1050-c.1650* (East Linton, 2000), 93-107

a relative degree of anonymity could be problematic. The charter, a grant by Robert of a tenement in Bruges to be divided amongst his three sons, states that Robert, *because his seal was not well known*, used the seal of the town of Haddington, alongside, and in addition to, the standard use of prominent witnesses. The town, as an entity, was in the same role of guarantor as an individual noble holding a territorial lordship and title.[78] This use of the Haddington seal was a solution to a problem that must have been common: minor individuals operating independently and involved in national or international business requiring legal credibility, but doing so in a period when the apparatus of the government had not yet created standardized forms of evidence whilst the transaction was one which did not easily correspond to the existing royal forms of approval and they were not always intimately connected to a member of the nobility.[79] The lack of vertical clientage ties forcing individuals to look outside their immediate locality for support and patronage has also been noted on the continent. Major observed in his article that: 'The typical noble was content to dwell on his estates and eschew political ambition. In the rare instances when he needed the influence of the powerful, he was likely to find that he had no place to turn.'[80] The continued primacy of personal relations in naming guarantors must of course be acknowledged, even in an urban setting; but nonetheless what is critical with Renton is that the seal was representative of an abstract and communal legal entity, not an individual.[81] Renton was able to turn to the town of Haddington to fulfil this need for added legal credibility and for the unspoken backing that went with it. The use of the Haddington seal on a legal document presumably destined for use in courts outside Scotland also re-enforces the position of the town as a known legal entity in its own right.

Haddington was a stopping point on the route to points in the southeast and to England. Large groups or royal contingents, both Scottish and English, often lay over for a period of a few days. Visitors of this sort included Robert II and Robert

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[78] The intervention of burghs on behalf of individuals was frequent in trade disputes or charges of piracy. Ditchburn, 'Trade with Northern Europe', 173

[79] C.F. Briggs, 'Literacy, Reading and Writing in the Medieval West', *Journal of Medieval History* 26 (2000), 397-420 at p. 404. Intervention by the Crown on behalf of individuals was starting to occur however. Ditchburn, 'Trade with Northern Europe', 175

[80] J.R. Major, 'Vertical Ties through Time', *French Historical Studies* 17 (1992), 863-871 at p. 864

[81] For example: on a 1430 lease in Linlithgow, the burgess Katherine of Ratho used the seal of James Parkle of Parkle, a leading Linlithgow burgess, because she lacked a personal seal. AD1/43; For Parkle's status: GD119/463,GD76/1,B58/18/11

III, the earl of Fife, John of Gaunt and Henry IV. Nor was this importance confined to the later period. Wallace's letter to Lübeck and Hamburg in 1297 was dated at Haddington.[82] Carrick's confirmation of a Robert II grant to Haddington is an illustration of the town's central geographic position and Carrick's immediate political interest in the region.[83] The confirmation's list of witnesses included nearly all of the major players in the southeast and Borders region. Carrick's presence at a convenient meeting point drew these men, a meeting recorded in an unrelated town charter. This is slightly different from the Renton charter or the notarized documents: in those the town, as a legal entity, was actively sought out because of *what* it was; in the Carrick charter it, and in particular the impressive witness list, was because of *where* it was. While practicality may be the reason behind the Carrick charter's place of issue, there are other bits of evidence that suggest Haddington, as a meeting point, had developed meaning beyond that originally created by its geographic position.

Haddington had a certain peculiarity which separates it from the other Lothian towns in this period, including it may be argued Edinburgh and Linlithgow: neither Haddington, nor its port of Aberlady, was dominated by a physical expression of strength which would make it a centre of militarized contention: that is a castle. In this regard it is almost unique amongst the medieval royal burghs: of those listed in 1286 Haddington and Inverkeithing are the only ones that were not adjacent to a royal castle.[84] The Franciscan friary in Haddington is the most prominent entity in the records, but this may be an artificial prominence created by the survival of records notarized at the friary. However, even if the religious houses are disproportionately represented in the written record, six religious houses would have ensured a constant, large, clerical presence in Haddington.[85] This religious presence could have given the town a higher social profile in the Middle Ages than that suggested in secular records. This profile would have been markedly different from that of the generally secular and capitalist viewpoint of the twenty-first century.

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[82] G.W.S. Barrow, 'Lothian in the First War of Independence, 1296-1328', *SHR* 55 (1976), 151-176 at p. 159

[83] GD122/1/144

[84] *Abdn. Recs.*, 17

[85] Cistercian nunnery, Franciscan friary, Dominican friary (15th cent. to early 16th), two hospitals, and the parish church; additionally a Carmelite friary was located at Luffness, while Dirleton had a Trinitarian cell. *Atlas of Scottish History* 341-445

Because of this different standard used to judge a town's importance, towns such as Elgin, Dumfries, or Haddington, all of which had this religious presence, would have had a social prominence out of proportion with their economic prominence.[86]

Haddington also had numerous noble families who had a similar or greater level of influence that that of the religious institutions, which prevented it from being defined solely as a religious centre. Parenthetically, it must be noted that these various groups did not have to work in concert, though there is no evidence of any tension. The two most prominent families in the area were the Lindsays of Byres, who owned land in and around Haddington, and the Haliburtons of Dirleton. Dirleton is Aberlady's northern neighbour and this easy access to the port must have been economically advantageous for the family. The Haliburtons bracketed Haddington's coastal access, since the family also had interests in Tranent to the west. As with the Crichtons at Blackness or the Logans at Leith, Haliburton's proximity to Aberlady may have helped raise the family's profile and may have forced the town council to maintain friendly relations with them; but this cannot be taken to indicate any direct control over the burgh by the landowners. Furthermore the Lindsay and Haliburton families were not alone: other families capable of cultivating influential relationships, such as Bikertoun and Cranston, cannot be excluded from the structure. Additionally, the monastic presence opened avenues of influence to families outside of the area by way of patronage. The most significant example of this in Haddington was the duke of Albany's sister; her opposition to the elected abbess of the Haddington Cistercian nunnery in the early 1400s was supported by Albany.[87] Despite the fact that this election was an internal contest within the nunnery the outcome would have had an impact on the wider community. Through his sister Albany was able to exercise indirect influence in the area. In considering this possible avenue of influence it is not totally irrelevant to recall that the other Cistercian nunneries in Scotland were all in the southeast: Manuel, North Berwick, St Bathans, Eccles and Coldstream.[88]

The inability of any single family to dominate Haddington meant that the town constituted neutral ground. It had been the traditional meeting point for the

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[86] Schofield, *Medieval Towns*, 196
[87] *CPL-Benedict XIII,* 180
[88] *Atlas of Scottish History,* 341-445

original Four Burghs for exactly that reason. It was convenient, easy to get to, and not controlled by any of them; this was lost in the shift to Edinburgh which unavoidably, and possibly deliberately, gave Edinburgh greater weight in the discussions.[89] Haddington's value as a literal crossroads and point of neutrality during the 1409 negotiations that saw March readmitted to his earldom, which had been forfeited and passed to the earl of Douglas in 1401.[90] Haddington was the one southeast burgh where all three major players, Albany, Douglas and March, had limited direct control. At the time Douglas controlled Edinburgh, Dunbar was contested between Douglas and March; North Berwick's status between Douglas, Albany and Angus was unclear; and Linlithgow's tradition as a royal seat made it dubious because of James I's concurrent English imprisonment.[91]

Geographic locations have an impact on the social structure, but they do not define it. Individuals involved in a region are not constrained to actions solely within that region; their actions within an area may be determined by their interests beyond it, especially when the governmental structure is composed of personal ties rather than bureaucratic hierarchies. For example, the actions of the sheriff of Berwickshire might be determined, not by events in Berwickshire, but by his relations with the entire political network across the southeast, or potentially farther afield; he cannot be studied in geographic isolation. In 1372 Walter Haliburton was the sheriff of Berwickshire and in 1433 Adam Cockburn was the sheriff-deputy of Berwickshire.[92] Neither man was generally identified as 'of the March'. In these instances their office-holding was not the result of a prominent local individual rising through the local social structure; rather it was the end result of wider political manoeuvres combined with the interwoven nature of Lothian and the March. Nor is there a clear line of division between the southeast and the southwest since, while there are clear groups of local nobility in each area, the overarching interests of the magnates, in particular Douglas, obscure the division, as does the chronic Border tension which periodically created common interest.

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[89] In 1368 it was noted that the court of the Four Burghs, held by the Chamberlain, had historically been convened in Haddington; under James I (confirmed by James II) it moved to Edinburgh. *APS*, i, 149.
[90] See 1406-20 section, 123-24; Haliburton section, 226-227; Fraser, *Douglas*, iii, no.300
[91] See Burghal Relations for the various towns, 145-46, 149-153
[92] GD436/1/6; *Swintons* app.no.26

This continued involvement of Lothian in Border affairs is critical to understanding the social structure of the region. In any case, the neat division created by the Lammermuir watershed is not the entire picture: underlying regional distinctions existed along other lines older than those of the shire and ecclesiastical delineations. Foremost among these were: the aforementioned constabulary, and sometimes regality, of Lauderdale, geographically defined as the watershed of the Leader Water and bridging the two regions by way of the main settlement area through the gap between the Lammermuir and Moorfoot hills; the earldom of March or Dunbar; and the barony or sometime regality of North Berwick, originally held by the Earl of Fife. The prominence of these territorial units largely depended on the prominence of the individuals who held them; and it is this inconsistent overlap between territorial and social units which make the region unusually complex. The constabulary of Lauderdale existed within the bounds of Berwickshire; though by the 1400s it was split in two parts and may have had some connection through the upper corner of Roxburghshire, by way of a barony controlled, as was the constabulary, by the Douglas family.[93] The earldom of March occupied the majority of the rest of Berwickshire; but it also extended into Edinburghshire and comprised almost one-third of the constabulary of Haddington, much of the area now known as East Lothian. The earldom of March was, in fact, not solely a Borders unit; arguably nearly one third of the lands held directly from it was in a region which, to follow Macdonald, is generally not regarded as a frontier zone. In fact, Dunbar, the seat of the earldom of March, is actually not in the March proper, which technically ends at Dunglass Burn just north of Cocksburnspath.[94] Nor did the earldom directly control other lands in 'the March' that is in particular Roxburghshire; but this is complicated by the fact that the earl of March was heavily involved in and was in fact the overlord of many areas in Roxburghshire. Consequently, the earls of March controlled much of the surrounding country, in addition to their earldom that straddled Berwickshire and Lothian districts.

That the earldom of March and the constabulary of Lauderdale were understood as distinct from and co-existing with the shire divisions can be easily seen in the records of the late 1300s. The Exchequer notes in 1366 an unusual set of

[93] *Atlas of Scottish History* 204
[94] Brooke, *Safe Sanctuaries*, 47-8

contributions: listed are contributions by the sheriffdoms, including Peebles, Selkirk, Roxburgh and Berwick; also listed are the earldom of March and the constabulary of Lauder.[95] This reflects, in the most sophisticated sector of the government administration, the overlapping existence of the units. Admittedly, this may also hint at the possible exclusivity of the latter two units; that they could be seen as outside the financial catchment areas of the shires, thereby causing the Crown to add them to the list in order to collect from them. However, more common is a sense of co-existence. This is illustrated in the grants on the instance of Douglas of Dalkeith's marriage in 1372 to Agnes Dunbar, March's sister. One of the grants is for land held of the earl in Berwickshire, the other for a piece held in the earldom of March.[96] But most important is the possibility of genuine overlap: that the same piece of land could be classified differently, as in the example of Samelstoun. This was held by the Kerr family from the earl of Douglas: in 1384-8 the land grant was of Samelstoun in Berwickshire, but a retour of 1418 listed it as Samelstoun in the regality of Lauder.[97] Cranschaws, held by the Swinton family, was referred to as being in Edinburghshire in one grant and in the earldom of March and Berwickshire in another; the location of Cranschaws in the Lammermuirs, and the accompanying uncertainty over exact borders in the watershed, may have as much to do with this record discrepancy as the surrounding political affairs and contested control of the region.[98]

There is another serious difficulty with defining the region. The personal ties and investments by individuals, of high social rank, in the area were not constrained by the existing territorial, administrative or ecclesiastical divisions. It might well be argued that in terms of social interaction the division between the March and Lothian was non-existent, or at least prior to 1400 politically un-important; that the region corresponded best to the much older Anglian definition of Lothian, even if it had been affected by the change in the status of the Borders and the decline or loss of urban centres such as Berwick-upon-Tweed and Roxburgh. This perception is reflected in the usage of the names, Lothian and Edinburghshire, along with a

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[95] *ER*, ii, 256-7
[96] Mordington and Wittinghame respectively: *RMS*, i, no. 521, 522
[97] Fraser, *Haddington*, no. 282, 287
[98] *Swintons*, no. 14, 21; it is noteworthy that the parish is now in Edinburghshire, but that it sits almost on the dividing line.

difficulty in determining what to call the southeast region. Lothian was increasingly interchangeable with Edinburghshire, but it also remained as shorthand for the entire region. This conflation of terms, with Lothian sometimes being applied to the entire region south of the Forth, can be seen in the Laws of Malcolm MacKenneth from the mid 1300s. In these the description of the justiciar's office records the existence of the older name, justiciar of Lothian, which was in use from c.1220 to 1360. This title was replaced by justiciar 'south of the water of Forth' from 1363, which was used exclusively from 1368. This suggests that the later administration differentiated between regions in the south and saw Lothian as one of a number of regions and not as encompassing the entire south.[99] However, the older usage remained part of the common vocabulary. This can be seen in St Andrews University's Comitia, established after the university's erection in 1413, which was divided into four nations: Albania, Angusia, Britannia and Laudonia. In this usage Laudonia was the land between the Forth and the Tweed.[100]

Arguably, the phrase 'men of Lothian' current in the early 1400s did not indicate men solely of the shire of Lothian or Edinburgh, but rather men of the southeast. It is worthwhile to note that the designation 'Borderers' or in the earliest appearance 'men of the March' are terms that only begin to appear in the late 1300s.[101] Both phrases are used by Bower; yet it is perhaps significant that his use of 'Borderers' or (the original Latin term) 'Marchianis' is in the financial and administrative context of repayment for expenses in destroying Jedburgh Castle in 1409.[102] That 'Marchianis' is used in the very limited context of financial administration is possibly to be expected given that finance was the most formal structure in the Crown administration during the late fourteenth century. A specific regional designation first emerging in that context and then being applied elsewhere would be logical. His use of 'men of Lothian' is in the context of the political and social structure mobilized in response to the combined invasions of the English and

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[99] A.A.M. Duncan, 'The Laws of Malcolm MacKenneth', in A. Grant & K.J. Stringer (eds.), *Medieval Scotland: Crown, Lordship and Community* (Edinburgh, 1993), 254

[100] Britannia was Strathclyde (the dioceses of Galloway and Glasgow); Albania was Fife and the region between the Forth and the Tay; Angusia: Angus and the area north of the Tay. R.G. Cant, *The University of St Andrews: A Short History* (Edinburgh, 1970), 7-8

[101] Pers. Comm. Dr. Boardman 6 Nov 2007; the OED lists the first use of the current historical geography term 'Borders' as c.1535; with Wyntoun using it in its general sense as 'the limit of a country' a century earlier. *OED* 2007

[102] Bower, *Scotichronicon,* viii, 73

March in 1400-02 and should be seen as involving men from the entire region, excepting the actual *earldom* of March.[103] Bower does make a very clear statement of the existence of a division during the events of 1400-02: 'To ward off their malicious attacks from the opposite side because for the time being the earldom of March and it inhabitants favoured the said lord (the earl of March) as their born lord, the magnates and nobles of Lothian, ..., agreed among themselves'.[104] But this is a qualified statement: it is the men of that earldom, which did not include the entire geographic region known as the March or the administrative and diocesan units overlaying it. Bower does not use 'Marchianis' in this passage; rather he is careful to say: 'comitatus Marchie et inhabitatores Marcie'.

This linguistic evidence would suggest a developing idea that there were economically and socially distinct regions in the southeast, but that this concept was not yet a persistent reality. In this sense, despite the aforementioned and increasing possibility of division developing along economic and administrative lines, the southeast was, and must be considered as, a single social and cultural region into the early 1400s. The fracture created by March's defection of 1400 may have hastened the differentiation between the Borders and Lothian by adding a political dimension; but this difference, so clear in hindsight, would not have been visible to contemporaries.[105] For them, the southeast was still one region and its political structure was one single intertwined network.

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[103] Bower, *Scotichronicon,* viii, 43,51

[104] Bower, *Scotichronicon,* viii, 43

[105] The linguistic shifts are reflected in the designation of the earls of March: when they received their lands under Malcolm III they were styled the 'Earls of Dunbar'; it is only in the late 1200s that their position as the holders of the southeastern frontier was explicitly recognized with the adoption of 'Earl of March' as the title. Interestingly, shortly after 1138 the earl of Dunbar (then Cospatrick III) was styled 'Earl of Lothian', the only medieval appearance of that title, and a telling hint of the family's powerful position at the time. A.J. Macdonald, 'Kings of the Wild Frontier? The Earls of Dunbar or March, c.1070-1435', in S. Boardman & A. Ross (eds.), *The Exercise of Power in Medieval Scotland, c.1200-1500* (Dublin, 2003), 140-1

Chronology: 1370s

Between the 1360s and the beginning of James I's reign the political and social structures of the southeast were reasonably stable. The structure was not dominated by any single focus of power and during the 1370s the concerns of those associated with the region outweighed internal frictions, thus creating a strong cooperative tendency. Although periodic disruptions occurred when individuals were in opposition, the multiple sources of power created a situation in which a natural equilibrium tended to restore itself despite power vacuums and brief monopolies.

The most striking thing about the period is that it is difficult to argue that any of the regional or local nobility can be solely defined by their position within a single affinity linked to a single magnate. Instead the region is characterized by multiple affinities, the lack of a clear hierarchy of power, and an underlying social network solidly interwoven across the geographic area. During these decades three magnates were involved in the region: the earls of March, Douglas and Angus; power amongst these three was not equally divided, but no one individual could control the other two, and it is not certain that any two would have been willing to join in *open* opposition to the third.[1] The fourth power in the region was the Crown. This was a consistent source of patronage, through offices and fees in particular. During the 1370s there was relatively little Crown-magnate tension, but, by the decade's end dynastic tension within the royal family meant that Crown interests did not necessarily constitute a monolithic bloc. A fifth power bloc existed in the loose grouping of the second rank nobility in the region, which added an unpredictable level of support that could tip the power balance towards one of the magnates or the Crown. It has been observed that in such situations the division of power tends to reduce severe political disturbances. Harriss, in his studies of medieval English politics, notes that when there is long established nobility holding equal rank, disruptive rivalry is less common, and that this is the case even when their estates are juxtaposed. He pays particular attention to the situation in northern England where the Neville and Percy families coexisted, in general peacefully, for about forty years

[1] This leaves aside both Carrick earls and Fife, who can be regarded as Crown agents. Additionally, the Douglas power bloc was not monolithic: the personal power of Archibald the Grim, lord of Galloway, later third earl prevented that.

until the balance of power was effectively destroyed around 1453 following the encirclement of the Percy estates by the Nevilles.[2] This argument for division leading to stability is supported by other English historians of the period, in particular Carpenter, Given-Wilson and Saul; all of whom note the tendency for affinities to be overlapping, mutual alliances. Furthermore, these groupings were primarily constructions aimed at keeping the peace and were not necessarily offensive structures, although they are most obvious during feuds.[3] Most importantly though, it is noted, by Saul in particular, that the majority of the lesser nobility (gentry) were not involved in these affinities. In his study of Gloucestershire he estimates that around one half to two thirds of the local gentry were retained. However, these were not solid blocks of retained gentry confronting each other: retained men lived alongside gentry that remained independent; and there were large regions where no single magnate had any dominant position.[4]

The problem of the Borders added a unique element to the situation: the existence of external pressure masked internal tensions and forced cooperation. The Anglo-Scottish conflict was particularly severe between 1377 and 1389, but this period of open hostility was an extension of years of manoeuvring to regain land lost to the English. It should be noted that while the hostilities during these years can be characterized as 'open war' ongoing diplomatic ventures remained equally important. Despite the escalation in hostilities, Crown involvement in the southeast, in contrast to the personal interest of David II and the centralizing drive of James I, was indirect and frequently channelled through either the earl of Carrick or the earl of Fife as the king's lieutenants throughout this period. Additionally, that the king's personal power was potentially separable from the Crown's weakened the impact of

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[2] G.L. Harriss, 'The Dimensions of Politics', in R.H. Britnell & A.J. Pollard (eds.), *The McFarlane Legacy: Studies in Late Medieval Politics and Society* (Gloucester, 1995), 5

[3] Carpenter, *Locality and Polity*, 356,360,630; Given-Wilson, *English Nobility*, 172; Saul, *Knights and Esquires*, 75

[4] Saul, *Knights and Esquires*, 98

Sociological modelling suggests that this system is only stable if another condition is met: because division/power reduction is almost never an acceptable proposition to those capable of extending their power, it can only exist if the interests of the individuals are in agreement and/or external concerns are a greater threat to the individual than the internal limitations of their power. In game-theory this has been expressed as the mechanism of monopolies: 'an ever-increasing number of power chances tend to accumulate in the hands of an ever-diminishing number of people through a series of elimination contests' in which the logical end is power is controlled and allocated by one source. Elias, 'On the Monopoly Mechanism' 141

the royal government, but it gave greater opportunity to those looking for royal patronage as it created two, and sometimes three, rival channels of royal patronage. During the 1370s the three earls, Angus, Douglas and March were the primary actors in the region; however of the period under study this decade had the most balanced power structure, with all three magnates interconnected equally with the second rank nobility.[5]

Some specific cases between 1369 and 1380 bear witness to the situation in southeastern Scotland. In this period Patrick Hepburn appeared as a witness for the earl of March three times; three times for grants by Archibald Douglas, lord of Galloway; twice for Margaret Stewart, countess of Angus and Mar; and once for the earl of Orkney, Henry Sinclair.[6] The Sinclair charter was in support of Sinclair's claim to the Norwegian earldom; as such it was Hepburn's personal status in Scotland, and not his relation to other magnates, that was probably most important, and it is probable that this records a positive social relationship between the two men. Of the grants by Galloway, one was concerned with a marriage of a daughter of Douglas of Dalkeith to Philip Arbuthnot, another was for Alexander Fraser; of these two the former was most likely the resolution of a local matter in which Hepburn's own local standing was valued regardless of any Douglas connection and the latter concerned lands entirely outside the southeast. The last charter Hepburn witnessed for Galloway was a land deal in Berwickshire concerning land ultimately held by the earl of Douglas; but the charter states that the land sold to Galloway was then passed to Alan Lauder, the intent therefore must have been a consolidation of the land Lauder held from the earl of Douglas, and not a movement by Galloway into the region.[7] It is difficult to see these appearances as evidence of Galloway developing a southeastern affinity, though his connections in the region should not be ignored. In contrast all three grants by March involved lands in the southeast. Additionally, Hepburn had received at least two grants of land from the previous earl of March

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[5] The intent of this section is not a chronological political narrative; it is based off of other work in that respect: Boardman, *Early Stewart Kings*; M. Brown, *The Black Douglases* (East Linton, 1998); M. Brown, *Wars of Scotland*; Grant, *Independence and Nationhood*; Nicholson, *Later Middle Ages*; M. Penman, *David II* (East Linton, 2004); for the Scottish narrative.
Macdonald, *Border Bloodshed*; C. Neville, *Violence, Custom and Law* (Edinburgh, 1998); for the problem of the Border

[6] GD436/1/11; Buccleuch Mss no.54; *Morton Reg.*, i, 97-8; Marchmont Mss no.2; Milne-Home Mss no.582; *A.B. Ill.*, iv, 724, v.iv, 113-4; *Orkney Recs.*, 24

[7] GD436/1/7; GD436/1/11

during David II's reign.[8] The two appearances for the Countess are the most difficult to define, since arguably the earl of Douglas had major influence, if not control, over the Angus lands. The evidence suggests that Hepburn's main interest was geographic rather than political; the majority of his appearances are concerned with the southeast, regardless of the magnates concerned. This is precisely the sort of pattern that would be expected from minor local nobility based on studies of the English and French experiences.[9]

The pattern of charters by the Haliburtons of Dirleton in the 1370s is similar. The Haliburtons appear in three grants by March; the same letter of recommendation for Sinclair; an appearance as a witness for a transaction concerning the local families of Crichton and Penicuik; three appearances for the Countess; and one appearance as a witness for Douglas, although this last appearance in 1372 is in his guise as the sheriff of Berwick.[10] The Sinclairs of Herdmanston also follow this pattern of multiple associations: appearing as a witness once for March, the family is granted land by both March and Douglas in 1377; their other four appearances are connected to the Countess, in which they are either granted land or act as her agent.[11] The Dalkeiths of Douglas are similarly broadly connected in this period: married to and receiving land from March, Dalkeith wass also a witness for Galloway, granted land to Adam Forrester, whose connections led to Douglas along with the burgh of Edinburgh, and appeared as a witness for a minor noble's charter alongside a number of other men from the region. Members of the Edmonstone family also appear as witnesses for March, but equally they appear alongside individuals more immediately associated with the earls of Douglas, in the more independent position as a supporter of Sinclair in 1379 and in the favour of Robert II.[12] Discounting the knowledge of future events, it is difficult, in this decade, to avoid the conclusion that there was a stable and interconnected network of power in the region.

Perhaps most tantalizing are the occasional appearances of the second rank of nobility in legal transactions that do not include the magnates. Three charters by

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[8] Robertson, *Index* 41-2; *RMS*, i, no. 159, app.2 no. 1474
[9] Major, 'Vertical Ties through time', 864; Saul, *Knights and Esquires*, 82
[10] GD18/2; GD436/1/6; Buccleuch Mss no. 54; *Morton Reg.*, i, 102-3; Fraser, *Douglas*, iii, no. 28; Marchmont Mss no. 2; Milne-Home Mss no. 582; *A.B. Ill.*, iv, 724; *Orkney Recs.*, 24
[11] Buccleuch Mss no.55; Fraser, *Douglas*, iii, no. 28, 29; Marchmont Mss no. 2; Milne-Home Mss no. 582, 590, 591; *A.B. Ill*, iv, 724
[12] *RMS*, i, no. 449; *Melrose Liber*, ii, no. 502

William Seton to James Fauside of land in Tranent barony made in 1367 are examples of this: witnessing were Haliburton, Abernethy, Herdmanston, Maitland, and several burgesses of Edinburgh.[13] This was a geographic grouping of men from Berwickshire and Edinburghshire, and while Herdmanston and Maitland had links to Angus and March respectively, there was no exclusive grouping. Another example of this is the 1377 charter by Alan Stewart of Ochiltre to his son of lands in Roxburghshire, witnessed by Dalkeith, William Douglas, Edmonstone, Stewart of Innermeth, Douglas of Strabroch, John de Glen, Adam Forrester and Andrew Ormistoun. Although the presence of several Douglas cadet lines suggest a Douglas affinity, individuals such as Edmonstone, Stewart and Forrester were not solely associated with Douglas nor should familial association presuppose political affinity.[14] Lastly, the 1379 supporters for Sinclair's claim to the Orkney earldom were a representative cross-section of the entire structure: the bishops of St Andrews and Glasgow, the earls of Douglas and March, along with the Haliburtons, Hepburns, Abernethy, Edmonstone, Ramsay Crichtons and Bikertons.[15] The consistent appearance of these men, and others, as witnesses for charters issued by the magnates is evidence of a dense regional network. This is not surprising: studies on English social networks, as opposed to strictly political networks, reveal that the gentry prefered to cultivate a support network amongst immediate neighbours rather than developing strong vertical ties.[16]

The network in the southeast was perhaps due to the combination of low-level Crown involvement and a balance of power between the magnates, especially Douglas and March. The Crown's control in the region during the 1370s was indirect. Both the earl of Carrick and the earl of Fife were not only present in their roles overseeing the Border laws, but they also developed regional connections that were distinct from those of Robert II, who had relatively little personal involvement. David II's court had seen the participation and patronage of a number of minor southeast nobles; and his widespread recruitment of southeat men, including individuals such as Alexander Recklington, who as the constable of Dunbar castle

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[13] *GD1/402/1-3*; also present were the Bishop of St Andrews and the Archdeacon of Lothian.
[14] *Morton Reg.*, i, 35
[15] *Orkney Recs.*, 24
[16] P. Maddern, 'Best Trusted Friends: Concepts and Practices of Friendship among Fifteenth-Century Norfolk Gentry', in N. Rogers (ed.), *England in the Fifteenth Century* (Stamford, 1994), 113

was also close to March, was undeniably beneficial to this group of minor nobility. The cultivation of this support base was to the king's benefit since it reduced his dependence on the magnates.[17] However, under Robert II the Crown's largesse declined; and, from the late 1370s through the 1380s the earl of Carrick, rather than the king, was the primary representative of the royal dynasty in the southeast.

The ascendancy of the Douglas family in the post-1400 period was not a foregone conclusion in the early 1370s. It is unlikely that a contemporary observing the positions of the three magnates in the southeast around 1372 could have accurately predicted the picture some thirty years later by which time March's affinity had collapsed, Angus was sidelined and Douglas had a reasonable chance of assimilating both of their followings. March's position appeared to be stronger than that of Douglas during the 1370s; and it is only with the benefit of hindsight that one can discern the early signs of Douglas' greater success.

George Dunbar, earl of March throughout the period under examination, succeeded his uncle, Patrick Dunbar, sometime between 1368 and 1369. His role in the region has often been somewhat overlooked, aside from his spectacular renunciation of Scottish allegiance in 1400. This is partly because he, in general, had little involvement in court politics: under Robert II he appeared as a royal witness only twice, in 1372 in Edinburgh and in 1375 in Aberdeen, and he was equally detached from the royal court under Robert III.[18] Furthermore, while he was aggressive in regaining territory lost to the English and in attempting to regain the lands of his grandfather, John Randolph lieutenant of Robert I, his relations with the surrounding nobility were relatively static, at least in comparison to the Douglases. However, until 1400 March controlled a territorially coherent earldom which had been in his family since well before either Douglas or Angus entered the scene. Its position in the southeast corner of Scotland meant that it dominated the main land routes across the Borders and was a critical component of the Anglo-Scottish relationship.[19]

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[17] Carpenter, 'Community' 359; Saul, *Knights and Esquires*, 261; Penman, *David II*, 271-2; *RMS*, i, no. 152, 160, 187, 265, 280, 521

[18] *RMS*, i, no. 423, 437; *A.B. Ill.*, iv, 88

[19] For a brief history of the earls of March and an analysis of their cross-Border nature, see: Macdonald, 'Kings of the Wild Frontier?'

George was active in the region from the early 1360s when David II granted him the barony of Tibbers and the lands of Morton in Dumfries. These lands had been resigned to the king by the then earl of March and Moray, Patrick Dunbar, in 1363.[20] Macdonald has argued that he may have taken over effective control of the earldom before 1369.[21] His first recorded grant as earl occurred in August 1369 at Dunbar when he gifted John Maitland the barony of Tibbers.[22] Maitland was married to Agnes, the earl's sister, with whom he already had a son, Robert, and the grant seems to have been a reaffirmation of the pre-existing relationship. The Maitlands held estates in Berwickshire and Lauderdale and until 1400 were closely aligned with March. Admittedly William Maitland was Douglas' baillie in Lauderdale in 1366, but the Maitlands do not otherwise appear as witnesses for Douglas charters.[23] The witness list for the 1369 grant illuminates the earl's affinity at this time. It included the Dunbar collegiate church canons, who were members of the Hepburn and Borthwick families, also present were Walter and Alexander Haliburton, Patrick of Polworth, Patrick Hepburn, and Alexander of Recklinton. The presence of men such as Maitland, Haliburton, Hepburn and Borthwick clearly demonstrates that families, which in the early fifteenth century are often seen as 'Douglas men,' were at this time equally connected with March's affinity.[24] Furthermore some of these contacts were of long duration and had already existed for over a generation. A grant by the then earl of March in 1342 shows a similar grouping of families: Ramsay, Gordon, Haliburton, Edward de Leith and Lauder.[25] Gordon, Haliburton and Lauder were all families that remained connected to March in the 1370s.

Geographically, this 1369 gathering was confined to individuals concerned primarily with the southeast. This was a consistent trend in March's affinity which was both a benefit and liability: this geographic compactness made it impossible to avoid his input in affairs pertaining to the southeast and the Borders, but the lack of connections elsewhere weakened his influence when the Crown's focus was on other

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[20] *RMS*, i, no. 149
[21] MacDonald, *Border Bloodshed,* 15; Goodman, 'The Anglo-Scottish Marches in the Fifteenth Century', 20
[22] Mss Buccleuch, no. 54
[23] Mss Hamilton, p208 no.125
[24] Macdonald, 'Kings of the Wild Frontier?' 152
[25] *Melrose Liber*, ii, 431

Scottish regions. March could only be a major player if the Borders were government's primary concern. The earl may have been aware of this geographic liability, but there is little to suggest any sustained interest in building connections with other Scottish nobility through marriages or political networking. He did, however, attempt to regain the Randolph inheritance which included the Lordship of Annandale, the Isle of Man and the earldom of Moray.

That March was interested in the Randolph lands can be seen in 1372. March's claim, referring to lands on the Isle of Man, was explicitly stated in a grant made to James Douglas of Dalkeith when he married March's sister, Agnes. This grant of land on Man to Dalkeith was then confirmed by Robert II.[26] Man was held by the English, but it remained of interest to the Scots as its position was ideal for the control of the Irish Sea and the west coast.[27] In hindsight the grant and its royal confirmation suggest overweening ambition; but for contemporaries this was a statement of intent. Not only did the Scottish Crown regard Man as its property, but Robert II was encouraging the extension of March's control to areas beyond the southeast. It is striking that this statement of the intent to return Scotland's territorial boundaries to the pre-1296 position was mirrored in the same year by an attempt to place another Scottish crown agent in the Northern Isles, a region which had never actually belonged to Scotland. There, Robert II backed Alexander d'Ard's claim to the Norwegian earldom of Orkney. D'Ard's bid failed and he was instead given land in Caithness by Robert II, while the earldom went to Henry Sinclair.[28] Additionally, the king's 1376 formal grant of Kintyre to John MacDonald, while not actually changing the local power structures, may also be evidence of a general policy to establish or consolidate the dynasty's hold on peripheral territories.[29]

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[26] Macdonald, *Border Bloodshed,* 33

[27] The issue of the Irish Sea and naval supremacy is summed up by the English historian, Tuck: "Scottish naval power has been seriously underestimated by historians, who have tended to concentrate on the landward aspect of the war with England. The possibility of French, Castilian, and Scottish naval supremacy in the Irish Sea was a grave threat not only to the coast of Wales and northwest England, but also to the English position in Ireland. It perhaps explains why both Edward III and Richard II were so anxious to conclude an alliance with the Lord of the Isles, the only other power in the region with any naval strength." A. Tuck, *Richard II and the English Nobility* (London, 1973), 16

[28] *Caithness Recs.* no. 120-1*; Orkney-Shetland Recs.* no. 9, 11

[29] A. Grant, 'Scotland's 'Celtic Fringe' in the Late Middle Ages: The Macdonald Lords of the Isles and the Kingdom of Scotland', in R.R. Davies (ed.), *The British Isles, 1100-1500: Comparisons, Contrasts and Connections* (Edinburgh, 1988), 126

March's 1372 grant to Dalkeith fits with the Crown's long term national ambitions, but on a local and regional level it was equally important. The Dalkeith marriage aligned the family with an important cadet branch of the Douglas family, which was positioned directly outside Edinburgh and Linlithgow, attractive economic positions. Another grant to Dalkeith that same year, of the lands of Mordington and Wittingham, was made at Dunbar, and the witnesses for this grant, as in 1369, are telling: John Dunbar earl of Moray, Haliburton, Hepburn, Edmonstone and Herring, amongst others. The first three have already been mentioned. The latter two have similar profiles. Both families were affiliated with Douglas in the early fifteenth century, but in 1372 March was as strong a lord as Douglas and their appearances with him reflect this. March connections to those later associated with Douglas are also evident in a charter March drew up on a rare visit to Lochmaben in the southwest. One witness was John Sinclair of Herdmanston. The Herdmanstons would become important supporters for the countess of Angus and the Douglas earls of Angus, and in the early 1400s would support Douglas against March. Equally important were the royal links embedded in this affinity; men such as Haliburton and Edmonstone had been important royal officials under David II, and it was in the best interests of all concerned to continue these connections.[30]

March's interest in the western regions was expressed in a grant by the earl to a member of the Cunningham family.[31] This family was generally associated with the west coast, with the exception of some dealings it maintained with the Logans of Restlarig.[32] Additionally, in 1374 March granted land in Annandale to Nigel Evare and in 1375 the baronies of Cumnock in Ayr and Blantyre in Lanark went to the earl's close kinsman, David de Dunbar, having been resigned to the king by March.[33] These areas lay within the region associated with the royal family, and consequently could have increased contact between the Crown and the earls of March.

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[30] *Morton Reg.*, i, 102-3; Mss Buccleuch, no. 55; see Haliburton, Herdmanston and Edmonstone sections, 203-207, 259-261, 264, 267-270

[31] *Yester Writs,* no. 28

[32] Though this same individual (Nigel Cunningham) also received land in Fife from Robert II in this period, so it may be Nigel on the rise rather than extension by March. *RMS,* i, no. 543 Cunningham was one of the 1385 defenders of Queensferry against the English: *Pluscardensis*, 245. See the section on Burghal Relations for this and his Logan connections, 147-150

[33] Robertson, *Index,* 121; *RMS*, i, no. 609

At the same time as George was most active in the southwest, his brother, John, established himself as the earl of Moray from 1373 until 1392, vindicating the brothers' claim to the holdings of their grandfather, John Randolph. The earldom of Moray did not include Lochaber, Badenoch and Urquhart, which remained under Crown control; however the grant did specify that if John and his wife Marjorie, a daughter of Robert II, did not have legal heirs that earldom would pass to March rather than reverting to the Crown.[34] In 1375 Robert II granted John Dunbar the thanage of Kintore, and again failing any heirs this would fall to his brother George.[35] John's control of Moray seems to have been erratic. In 1379 his retainers were able to plunder a Flemish ship driven aground on the Moray coast,[36] and his long-term investment in the region is evidenced by his building works in the area.[37] But his authority was routinely challenged within the region by Alexander Stewart, David Lindsay and the bishop of Moray, Alexander Bur.[38] John's weakness was exposed in 1390 when Alexander Stewart attacked Forres and Elgin. These attacks on Moray's primary burghs were an unequivocal demonstration of the earl's inability to protect either his own territory or the property of the church in that territory. As well as being resounding symbolic statements regarding political and military power in the region, the attacks were financially devastating for the Dunbar earls.[39]

John actively, if ultimately unsuccessfully, pursued his rights in Moray, but he was also interested in Border affairs. He was travelling to England in 1381, was a commissioner for the treaty discussed in 1384. In 1385 he was among the nobles, who, as part of the Franco-Scottish agreement, received French money to aid in raising troops against the English and in 1388 he took part in the Otterburn campaign.[40] Most significantly, in 1390 he was named as one of the Scottish conservators of the border truce; the other conservators, the bishops of St Andrews and Glasgow, the earls of Douglas and March, Murdoch Stewart, Douglas of Dalkeith, Douglas of Nithsdale and Thomas Erskine, aside from Murdoch these were

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[34] Robertson, *Index*, 130; *RMS*, i, no. 405, 525
[35] *RMS*, i, no. 627
[36] *Cal. Docs.*, iv, no. 238.
[37] Pers. Comm. Dr. Boardman
[38] R. Oram, 'Alexander Bur, Bishop of Moray, 1362-1397', in B. Crawford (ed.), *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland* (Edinburgh, 1999), 202-3
[39] *RMS*, i, no. 764, 765; Oram, 'Alexander Bur', 205
[40] Bower, *Scotichronicon*, vii, 423; *Froissart*, ii, 19-20, 35

all individuals whose main holdings were directly affected by Border affairs or, in the case of the bishops, had responsibility for the region. It would seem that Moray, by personal inclination, maintained contact with this group.[41] Nor were his appearances confined to affairs concerning Anglo-Scottish relations; he appears in routine charters relating to southeast affairs, primarily in those of his brother, but also in instances such as the grant by the Abbey of Dunfermline to John Swinton of land in the Coldingham barony in Berwickshire.[42] This 1380 grant, witnessed by a number of prominent individuals, was a clear statement regarding the control of Coldingham, an issue which was highly contentious but peculiar to the southeast. Moray's interest in the chivalric pursuits, such as his appearance at the London tournament of 1390, may indicate that he was interested in the chivalric international community, a tendency shared by many of the southeastern nobility, rather than solely focused on consolidating his Scottish holdings.[43]

In the early 1370s March had the possibility of expanding his political influence beyond his earldom and had the basis for a strong affinity based in the southeast. His claims to the Isle of Man and the lordship of Annandale potentially created a zone of influence stretching across the south of Scotland, balancing the growing Douglas influence.[44] If this was combined with his brother's claim to the earldom of Moray, a reasonable assumption given that the brothers' interests were largely aligned throughout their careers, the family had the potential to become a serious player throughout Scotland in a manner similar to that of the Black Douglases in the following century. That this potential would remain a paper tiger could not have been known in the early 1370s. At that date it was perhaps more likely that March would seek to emulate his grandfather, Robert I's lieutenant, Randolph.

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[41] *Cal. Docs.*, iv, no. 416; For his place in the Anglo-Scottish warfare of 1384-5 see Boardman, *Early Stewart Kings*, 120, 124, 136-7

[42] *RMS*, i, no. 647. The grant was confirmed by Robert II and was originally witnessed by: the Bishop of St Andrews, the earls of Carrick, Fife/Menteith, Douglas/Mar, March (lord of Annandale and Man), Moray; Douglas of Liddesdale, Douglas Lord of Galloway

[43] *Cal. Docs.*, iv, no. 411, 412. John may have intended to travel to Amiens in 1390, following his duel with the earl of Nottingham

[44] *Yester Writs*, no. 28

Robert II was ineffectual from 1385, but this verdict cannot be retrospectively applied to the 1370s.[45] Grant's study of the events leading up to the Otterburn campaign of 1388 demonstrates that the policy adopted by the Scots during the 1370s in regard to the English was anything but indiscriminate.[46] In the early 1370s Robert II's policy was essentially a continuation of David II's approach: payment of the ransom continued and no overtly aggressive moves, such as attacks on highly symbolic targets of Berwick, Roxburgh, Jedburgh or Lochmaben, occurred. In 1375-6 this policy abruptly changed, in May 1376 the English chamberlain of Lochmaben reported severe deficits due to ruin in the region caused by the earl of March.[47] It is unclear exactly what happened in the preceding years; but in April 1374 (1375) March had been at Lochmaben.[48] This action coincided with the failure of Edward III's health; and in 1376 the Scots reduced their annual payments of the ransom before ceasing to pay altogether in 1378, indicating that the shift in the public policy of the Crown occurred simultaneously with March's action.

In 1377 the Anglo-Scottish war resumed when March burnt the town of Roxburgh. The catalyst for the attack was the murder of one of his squires, possibly his chamberlain.[49] This event occurred within the context of the long-running dispute between March and the earl of Northumberland, which at the time was more hostile than that between Douglas and Northumberland.[50] It must be also considered in light of March's apparent strength.[51] The earl was strongly interested in regaining

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[45] Boardman, *Early Stewart Kings* for Robert II and Robert III; A. Grant, 'The Otterburn War from the Scottish Point of View', in A. Goodman & A. Tuck (eds.), *War and Border Societies in the Middle Ages* (London, 1992) for a discussion of the events leading up to 1388; and A.J. Macdonald, 'Profit, Politics and Personality: War and the Later Medieval Scottish Nobility', in T. Brotherstone and D. Ditchburn (eds.), *Freedom and Authority: Scotland c.1050-c.1650* (East Linton, 2000) for a consideration of the motivations involved; also A.J. Macdonald, 'The Apogee of the Auld Alliance and the Limits of Policy, 1369-1402', *Northern Scotland* 20 (2000), 31-45; for a reiteration of the idea that the Border magnates did not act with total disregard for Crown policy.

[46] See: Grant, 'The Otterburn War from the Scottish Point of View'

[47] *Cal. Docs.*, iv, no. 231

[48] Mss Buccleuch, no. 55

[49] Bower, *Scotichronicon,* vii, 369

[50] *Cal. Docs.*, iv, no. 243; Grant, 'The Otterburn War from the Scottish Point of View', 33; for a slightly different take see: Neville, *Violence, Custom and Law,* 72-3

[51] For an excellent discussion of the events of 1377 in their wider national and international context see Macdonald, *Border Bloodshed,* 45-60

the property his family had lost to the English.[52] He had connections to many of the major regional families, all of whom had a vested interest in the affairs of the Borders. His brother, equally interested in the Borders, had the potential to call up yet another group of men.[53] Additionally, he may have felt he had the tacit permission of the Crown to pursue an aggressive course of action when diplomacy failed to resolve a crisis situation. However, economic issues may not have been a factor in March's decision since the benefit of re-acquiring Roxburgh must be balanced against its destruction or an English refusal to allow Scottish trade there following an increase in hostilities.[54] The event is difficult for a modern historian to understand; it is made harder by another striking characteristic, the earl apparently acted alone unlike other Borders incidents that included direct Douglas participation. In fact, both the king and Douglas were in the north of Scotland during the months just before the mid-August raid.[55] Although by April 1378 March, Douglas and Galloway were raiding the Borders together, in 1377 March appears to have been operating unilaterally against the earl of Northumberland.[56] March's unilateral action is atypical. It contrasts sharply with both the campaigns of the 1350s, in which all three earls, Douglas, Angus and March, participated, and the campaigns of the 1380s, which were directly and immediately sanctioned by the Crown. It also

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[52] This raises a problem which plagues all studies of medieval history, namely that public and private interests are inextricably bound together in a manner which is often difficult, if not abhorrent, for the twenty-first century citizen to fathom. The concept of a clear division between one's public activities and one's private concerns was absent even in the more demarcated branches of the civil services, in which the professional bureaucrat was frequently asked, and was expected, to lend his expertise and skills to individuals or institutions in a 'private' format resulting in overlapping networks. In the case of lordship and the right to take aggressive action to reclaim land seen as illegally seized, the private-public division is impossible. Nor is this attempt to divide behaviour simply a thing of the past. In regards to the motivations for war it is made even more difficult by the extreme difference between the theory of the democratic system where the professional soldier is distinct from the civilian, and the military follows civilian orders; in contrast to the 'aristocratic' system in which the government and the military establishments are the same class and identify with each other: the military is part of the government, not the tool of the government. For the various types and their evolution see: M. Janowitz, 'Military Elites and the Study of War', in L. Bramson & G.W. Goethals (eds.), *War: Studies from Psychology, Sociology, Anthropology* (New York, 1964), 339-341 and D.E. Showalter, 'Caste, Skill and Training: The Evolution of Cohesion in European Armies from the Middle Ages to the Sixteenth Century', *Journal of Military History* 57 (1993), 407-430. For the medieval civil service: Given-Wilson, *English Nobility*, 171-2; Griffiths, 'Public and Private Bureaucracies' 113-4. For a discussion of the fundamental difference between the modern disjunct between 'Private' and 'Public' as opposed to the medieval continuum see: H. Kaminsky, 'Estate, Nobility and the Exhibition of Estate in the Later Middle Ages', *Speculum* 68 (1993), 684-709 at p. 685-7

[53] That this potential was not delivered in the 1380s is another issue; see Oram, 'Alexander Bur'

[54] Macdonald, 'Profit, Politics and Personality', 123

[55] Macdonald, *Border Bloodshed,* 46

[56] *Anglicana*, i, 373 *Cal. Docs.*, iv, no. 243, 260

contrasts with the typical behaviour expressed in the internal politics during the latter half of David's reign. March's action in 1377 goes against the usual pattern of behaviour in the late fourteenth century, which is best described as cooperative.

Successful cooperative behaviour is difficult to demonstrate, if only because failure tends to be more spectacular and better recorded than success. While the greater part of human activity is concerned with peaceful cooperative behaviour, it is equally useful in conflict when both cooperative and competitive behaviour exist simultaneously. The fundamental advantage of cooperation, the possibility to achieve the results desired by an individual but possible only with active cooperation, holds true whether one is attacking another country, writing a system of interstate laws or designing a mass transit system between multiple cities.[57] The system of late medieval government was fundamentally pragmatic and self-serving. Ideology was not apparent. Rather factions were created out of the temporary confluence of personal interests. This type of structure encourages a situation in which individuals aim at the widest possible cooperation and consequently creates a tendency for alliances to shift as it suits the individual.[58] In this system the more ties a person has, the more valuable that person becomes to other individuals even if those possible ties are not all utilized all the time. That this was a desired characteristic of the medieval political community is clear from the literature of the period. Barbour's *Bruce* written in 1375-78 deliberately draws a picture of mutual cooperation and unity amongst the nobility combined with loyalty to the Crown and the royal dynasty as the ideal qualities for a political community; this statement was probably aimed at the heirs of Bruce, Douglas and Randolph, respectively Robert II, Douglas and March.[59]

Nonetheless, March's decision to move to outright violence in 1377 as a form of redress for the murder of his squire may have been influenced by the supposition this escalation would be supported by the Crown. That Robert II did approve of the increased confrontation is suggested by the cessation of ransom payments in 1378.[60] Additionally, in 1378 he transferred Coldingham abbey from the control of Durham

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[57] E.F.M. Durbin & J. Boulby, 'Personal Aggressiveness and War', in L. Bramson & G.W. Goethals (eds.), *War: Studies from Psychology, Sociology, Anthropology* (New York, 1964), 82-3
[58] Lander, *Government and Community*, 174, 183-4
[59] Boardman, *Early Stewart Kings,* 61
[60] Macdonald, *Border Bloodshed,* 50

to Dunfermline on the pretext that the English monks and its English allegiance were a threat to the Royal majesty, the realm and its inhabitants. The following year Coldingham's prior, William Claxton, was accused and convicted of transporting money out of the realm. The problem of Coldingham lasted well into the fifteenth century and embroiled its priors, the secular lords of the region, the rival mother houses and the Crown.[61] The Coldingham transfer fit with the king's policy to rationalize and re-expand Scotland's borders to their earlier limits. March derived immediate benefits from the transfer, as Dunfermline granted him the land of Aldcambus in 1380.[62]

There was participation from the levels of men in the south below March; he naturally drew men from the Berwickshire and Roxburghshire regions, and at least two prominent local families were involved in the 1377-80 raids against England. The Gordons, at this point a strong Borders family with few interests elsewhere, were the only other family directly associated with the Roxburgh raid, in their capacity as leaders of March's host.[63] However, the Johnstone family, located in Annandale, also led raids on the West March during this period. Johnstone had witnessed a charter for March in 1374 at Lochmaben, while the earl's claim to the lordship made him Johnstone's direct superior.[64] The depth of their relationship is uncertain; Johnstone does not appear at Dunbar, and their relationship may have been based on the March's political and legal control of Annandale rather than on close social affinity.

March's decision to take a more aggressive stance in 1377 was also dictated by the beginnings of a shift in the southeastern network. If in 1372 one could not predict the structure after 1400, it would be equally inappropriate to assume that the ascendancy of the fourth earl of Douglas came from nowhere. Cooperative efforts, either on the Borders or in internal politics, make logical sense. However, the lines between cooperation, toleration and competition are thin and, it must be admitted,

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[61] *Cold. Corr. 45,60-7*; A.L. Brown, 'The Priory of Coldingham', *Innes Review* 23 (1972), 91-101 at p. 91-4

[62] A.L. Brown, 'Priory of Coldingham', 93

[63] Bower, *Scotichronicon,* vii, 369-71*; Chron. Wyntoun,* iii, 10-3
The Gordon family had been active against the English since Robert I: in 1357 John Gordon and William and John Towers were released from English captivity following their participation on English raids. This point refers once more to multiple links between the Gordons and Towers on one level and the Dunbar and Douglas magnates on another. *Scalacronica, 291*

[64] Buccleuch Mss, no. 55; *Chron. Wyntoun*, iii, 13; Macdonald, *Border Bloodshed,* 46

does logic does not always rule human action. Although sometimes viewed as opposing ends of a spectrum of behaviour, they can be considered as being present at the same time in the social network.[65] It is difficult to avoid the conclusion that these characteristics were present in the 1370s; indeed, the very evidence of an inter-connected structure supports the idea of rivalry. There is insufficient evidence in either direction to draw conclusions about the local or regional nobility's behaviour; there is strong, if circumstantial, evidence to support the idea of competition between March and Douglas. It is impossible to judge accurately whether or not this rivalry in patronage changed the self-identification of the lesser nobility ('they were Douglas men' or 'they were March men' but were not both), fostered antagonistic behaviour, or paralysis within this group.

Douglas' encroachment, most evident in his relations with the countess of Angus, may have motivated March to reassert his status by ceasing to tolerate the continued English occupation of land traditionally under his purview, an added impetus for the 1377 raid.[66] During the 1370s both Douglas and March granted land to the same individuals, suggesting, if not competition, that multiple active magnates were beneficial for the advancement of the lesser nobility's fortunes. As early as 1369, two grants reflect this. In August John Maitland received the barony of Tibbers from March and approximately two weeks later Douglas granted Maitland Thirlestane and Colows (possibly Collielaw).[67] In 1372, Douglas of Dalkeith married Agnes Dunbar and gained land from March; but in the same year Archibald Douglas granted Dalkeith's daughter and Philip of Arbuthnot land. In the latter case the witnesses were Sir James Douglas along with other members of the family, two Hepburns, John de Mezes and Alexander Seton.[68] A similar pair of grants were made in 1377: March bestowing Polwarth, Berwickshire, on the Sinclairs of Herdmanston and then five days later Douglas giving them Carfra and Herdmanston, in both cases to be held for their homage and service.[69] In all three cases the families benefited from an increase in patronage driven by the magnates' need to ensure the

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[65] For a modern take on this see: Lado, et al. 'Competition, Cooperation, and the Search for Economic Rents: a Syncretic Model', *Academy of Management Review* 22 (1997), 110-141
[66] For Angus, see below; also M. Brown, *Black Douglases*, 47, 68
[67] *RRS-David II,* no. 449, 509
[68] *Morton Reg.*, i, 124
[69] Mss Marchmont, no. 2; Mss Milne-Home, no. 590-1

retention of their followings. But the most critical event in the summer of 1377, as discussed below, was the alliance between Margaret, countess of Angus, and Douglas which created a situation that, for the time, essentially removed the political division between Angus and Douglas, leaving March dangerously isolated.

March's political position vis-à-vis Douglas was weakened by events unrelated to the Douglas expansion. In particular, the late 1370s seems to have seen the re-emergence of the Crown, as represented by Carrick and Fife, as another active source of power in the region. By 1380-81 Carrick was present in the region and by 1382 he was closely aligned with both Douglas and Lindsay.[70] Carrick's increased involvement was aided by the regional nobility's desire for royal patronage, as the events following the death of Agnes Dunbar in 1378 demonstrated. Her death did not necessarily benefit the main Douglas line, but it did remove the primary link between the Dunbars and the foremost cadet branch of the Douglases, the Douglases of Dalkeith. However, it was useful for the Dalkeiths, since it enabled them to take the opportunity to advance themselves on a national rather than regional level. Dalkeith's next marriage was to the earl of Carrick's aunt in 1378. At the same time Dalkeith arranged for a match between his eldest son and Carrick's daughter. This arrangement signalled the early stages of Carrick's policy of forging connections with men in the south.[71] In this competitive environment, men such as Dalkeith had a number of opportunities for advancement. It must be stated though, that aside from notable exceptions such as Dalkeith, the changes in patronage within the southeast should not be seen as a zero-sum game where additions to one affinity were the direct result of losses in another.

One of Douglas' advantages was the breadth of his connections. The geographic narrowness of March's primary contacts in comparison to those of Douglas is immediately apparent. However, the difference was not solely geographic; some of the most valuable contacts cultivated by Douglas were with burgesses or royal administrators. The most prominent of Douglas' contacts in this social area was Adam Forrester, as is discussed in the section on the Forrester family. During the same period Douglas was also cultivating connections with the Lauder

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[70] Boardman, *Early Stewart Kings,* 82-3; Macdonald, *Border Bloodshed,* 63; Neville, *Violence, Custom and Law,* 74-5; Bower, *Scotichronicon,* vii, 391; *Chron. Wyntoun, iii,* 251-60

[71] M. Brown, *Black Douglases*, 69

family, in particular Alan. In 1366 Alan was granted land by Douglas in Lauderdale and in 1372 Douglas granted him land in Peeblesshire and Berwickshire;[72] like Forrester, Lauder was a regular witness of the earl in this decade.[73] The Lauders were a valuable family for Douglas to recruit, since the family was traditionally closely associated with Lothian's justice system, which would have been critically important for anybody attempting to wield indirect control of the region. Alan's grandfather, Robert, had been the justiciar of Lothian between the 1320s and 1340s and the family would reappear in connection with that role in the 1400s.[74] Robert's career as justiciar implies that the family was loyal to Robert I and that it was prominent enough to maintain judicial effective control. Robert Lauder's position was almost certainly strengthened by his connections to the then earl of March, for whom he acted as his seneschal in 1342.[75] The next Robert, Alan's father, was paid for his work in the justiciary north of the Forth under both David II and Robert II. Alan, continuing the tradition, was the Crown's justiciary clerk for the region south of the Forth from late in David II's reign.[76]

Nor were the Lauders' landholdings insignificant with land in Berwickshire granted by Carrick, later Robert II, and lands held from March.[77] Additionally, Lauder had lands in the constabulary or regality of Lauder, held from Douglas, and lands in Ratho barony of Edinburgh, held from Alexander Montgomery and Egidia Lindsay.[78] The Lauders also had lands in Ayrshire, while Alan's first wife, a Campbell, brought connections from well outside the Lothian region.[79] From the 1380s the family would be closely associated with Tantallon, Alan was constable of the castle in 1389, and North Berwick.[80] These holdings, and their judiciary position, complimented Douglas' position. The allegiance of such men, who had wide intra-regional holdings and access to the administrative hierarchy, may have been crucial

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[72] GD436/1/7; *Hist. of Peeblesshire* ii, 467; GD436/1/5, 6, 11 for the Berwickshire land

[73] *Paisley Reg.*, 43, 47; Fraser, *Douglas*, iii, no. 333; Mss Milne-Home, no. 582; *A.B. Ill.*, iv, no. 724; Fraser, *Southesk*, no. 42; Mss Strathmor, no. 10, 11; Mss Hamilton, no. 126

[74] A William of Lauder was baillie of Edinburgh in 1369, unfortunately the family connection, if any, is obscure. *Yester Writs*, no. 19, 24; *Edin. Recs.*, 248

[75] *Melros Liber*, ii, 396

[76] Mss Lauderdale, no. 5; Robertson, *Index*, 62, 67; *RMS*, i, no. 163, 456, app.2 no. 1316, 1344, 1479

[77] *RMS*, i, no. 373

[78] GD1/17/8-9; Robertson, *Index*, 93; the Montgomery grant was sealed with Ramsay of Dalhousie's seal, suggesting a connection there as well. *RMS*, i, no. 373-77

[79] *RMS*, i, no. 377; Mss Lauderdale, no. 5

[80] *North Berwick Chrs.*, 37; Mss Lauderdale, no. 5

to Douglas control. Interestingly, the Lauders had little if any prior involvement with the earls of Angus, although after 1388 they would support Angus. In this shift of allegiance they illustrate the pragmatically self-interested nature of the society, what was beneficial for the extension of Douglas power in the 1370s and 1380s was beneficial for the Lauder family. After 1388, however, the dominance of Angus in North Berwick meant that supporting them was in the Lauders' best interests. Similarly pragmatic behaviour was exhibited by Robert Maitland in 1400 when he turned Dunbar castle, of which, like Lauder at Tantallon, he was the steward, over to Douglas.

Two other examples indicate Douglas' involvement in families which were geographically and socially distant from each other. In early 1381 the earl granted Sir John Lyon land. The importance of this grant was not primarily the land, but that Lyon was then chamberlain of Scotland, and had been named in 1375 as the lifetime custodian of the burgh customs assigned to the Queen.[81] Lyon was not a player in the southeast; he was an important royal figure, however. The grant to Lyon may have been a move by Douglas to hedge his bets in the building rivalry between Robert II and Carrick. Lyon, who was close to Robert II, would be assassinated in 1382; the rivalry spread to include, as supporters of Carrick, both the Lindsays and Douglas.[82] However, it would have been logical for Douglas to cultivate alternative links on both sides. At a much lower political level was Roger Hog, a burgess of Edinburgh, and his son John. The Hog family was prominent in Edinburgh and also had historical links to Roxburghshire and the Borders.[83] In North Berwick Roger Hog held a tenement originally granted by the late Countess of Fife, Isabella. Circa 1373 this grant was confirmed by Robert II, probably shortly after North Berwick was granted to Douglas.[84] Hog had been granted land by Douglas in 1357, so it would be reasonable that in the 1370s this relationship remained in place.[85]

This range of burghal and administrative contacts was notably absent from March's network. March's only contacts of that nature were in Dunbar, which he

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[81] Mss Strathmor, no. 6, 10-11
[82] Boardman, *Early Stewart Kings,* 81
[83] G.F. Black, *Surnames of Scotland* (New York, 1965), 361
[84] Robertson, *Index,* 111, 114
[85] Fraser, *Douglas*, iii, no.20. Hog had supported David II in 1361-2 and was also connected to the Preston family. See Preston section, 186; *ER,* ii, 78-9, 83; *Rot. Scot.*, i, 855a

controlled, despite its status since 1370 as a royal burgh.[86] His control over the burgh was more complete than Douglas' control of North Berwick, which dated from approximately a decade later in 1373 and came with the proviso that Douglas' actions should not infringe on the rights of the Crown or the burgh.[87] In general, Dunbar was a fairly isolated burgh. Interaction between the east coast burghs rarely included Dunbar merchants. Consequently, March may not have benefitted from the range of contacts typically cultivated by burgesses. March was involved in trade ventures, and in the late 1300s he sent a letter to the Magistrates of Danzig to request the revival of the Prussian-Scottish trade interrupted by the imprisonment of one Caspar Lange. However, he does not seem to have exploited his merchant contacts as heavily as Douglas.[88] He lacked any regular contact with the royal administration; unlike Douglas, who in addition to his own court appearances, maintained contact with the royal administration through his links to royal officials such as Forrester and Lyon.

So far, this discussion has largely ignored the third great magnate house of the southeast, the earls of Angus. The Angus affinity is the most difficult to define, since it lacked geographic continuity and its potential familial links, while broad, were primarily through the female line, making their strength difficult to assess. Following the death of Thomas Stewart, earl of Angus, in 1363 control of the estate fell to his widow, Margaret. Her relationship with the first earl of Douglas in the 1370s made possible the succession of her bastard son, George, who exercised lordship briefly in the 1390s before his death in 1402. The traditional assumption is that Margaret's liaisons with the first earl of Douglas resulted in the Angus family being absorbed into the Douglas affinity. That this was not the case is demonstrated by the violent split over the Douglas inheritance following the second earl's death in 1388. That this dispute created the Red Douglas earls of Angus as a group with an

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[86] *RMS*, i, no. 340

[87] Robertson, *Index, 111*; see Burghal relations, Southeast Geography sections

[88] E.L. Fischer, *Scots in Germany* (Edinburgh, 1902), 238
The Prussian trade may have held special interest for March: in 1383 he bought a portion of the cargo of one five Hanseatic ships which had been seized by a group of Flemings. D. Ditchburn, 'A note on Scandinavian trade with Scotland in the Later Middle Ages', in G.G. Simpson (ed.), *Scotland and Scandinavia* (Edinburgh, 1990), 76. See section on burghal relations for Dunbar's economic situation, 151-152.

identity clearly distinguishable from the Black Douglases suggests that the Anguses created a discrete affinity and identity.

The Angus family's presence in the southeast was well established.[89] In the 1330s John Stewart gained Mordington and Longformarcus, though these later passed to March, and in the 1340s Thomas Stewart appears as the lord of the barony of Bonkill.[90] These were important Berwickshire areas, which made the family neighbours with March. The family's fortunes were enhanced by a series of marriages. The first, by John Stewart, was to Margaret Abernethy, a co-heiress to the Abernethy estates in Perthshire.[91] The Abernethy family appears occasionally later in the fourteenth century in the southeast, generally with the Angus group.[92] The second marriage was that of Thomas Stewart, earl of Angus, in the 1350s. This marriage, to Margaret, daughter of William Sinclair of Roslin, tied the family directly to the southeast and to an upwardly mobile family. The Sinclairs had enjoyed some royal favour and at the same time as the Angus marriage, Margaret's brother William married Isabella, the heiress of Strathearn, a marriage arranged by the earl of Ross.[93] Thomas and Margaret's marriage resulted in two daughters, Margaret and Elizabeth.[94] Following Thomas' death in 1363, Margaret married John Sinclair of Herdmanston, resulting in Margaret's half-brothers, John, James and Walter.[95] Margaret would rely on her half-brothers for support, and the head of the Herdmanstons acted as Margaret's agent on more than one occasion.[96] This Margaret (the third) was married, presumably at a very young age, to the earl of Mar, who died in 1374, while Elizabeth married the Hamilton family and surrendered her claim to the Angus estates to her sister in 1379.[97] Around 1377 Margaret, Mar's

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[89] See Genealogical Tables for Herdmanston and Orkney, 232, 252
[90] Mss Milne-Home, 272
[91] This Margaret dies by 1370; SP
[92] Fraser, *Douglas*, iii, no. 46, 49
[93] See section on Orkney, 237
[94] There was a younger brother of uncertain legitimacy: William Stewart is named as Margaret's brother in 1389. Fraser, *Douglas*, iii, no. 41
[95] There is some discrepancy in the record: Scots Peerage has Margaret married to a William Sinclair of Herdmanston, however the only two candidates are active under Robert I and post-1400. Logically, the dates of activity suggest two John Sinclairs as Lords of Herdmanston, since the one named as Margaret's brother cannot be the same who is active in the late 1360s and early 1370s: he would be too young, suggesting that Margaret married a John Sinclair. See Herdmanston Genealogical table, 252
[96] See section on Sinclairs of Herdmanston in Minor Nobility, 256-258
[97] Fraser, *Douglas,* iii, no. 27, 400-1; *A.B. Ill.*, iv, 160

widow, and William Douglas, her brother-in-law, began an affair which would result in George Douglas, the first Douglas earl of Angus, and in that year Margaret was installed in Tantallon, which was held by Douglas from Fife.[98] Margaret would live until 1418, outliving her son, and she seems to have been the main force in the family throughout her life. It was only under her grandson, William, that the Angus earldom once more had an active earl.[99]

A 1375 charter by Margaret depicts the family group at the point of increased Douglas interest.[100] The witnesses for a resignation of lands by a minor tenant were Lindsay of Byres, Haliburton, Borthwick, Bikertoun, Liddel, Herdmanston and Cockburn. William Lindsay of Byres was the third son of David Lindsay; his brothers were James Lord of Crawford and Alexander Lord of Glen Esk. The Lindsays were cousins of Margaret's father, the late earl of Angus, and were related through the Abernethy connection. William was the only brother routinely present in the southeast, with estates in the Haddington area and Roxburghshire, which were added to by grants from Robert II in the early 1370s.[101] Margaret was close to Alexander and William; in 1371 William granted Margaret a £10 annual from his Haddington estates and in 1374-5 Margaret and Alexander completed a series of reciprocal transactions over land in Perthshire.[102] This Lindsay association was a benefit for Douglas when he gained control of the earldom of Mar in July 1377. A positive relationship with Margaret gained him rights in Mar and may have strengthened the Douglas/Lindsay alliance, which was nationally important during the 1380s. For Margaret a Douglas alliance had obvious benefits, presenting her with a strong ally in her vulnerable position as the co-heiress of the Angus estates and Mar's widow.

The first earl of Douglas' investment in the southeast was based on developing a network of social contacts, rather than straightforward territorial control. This limited influence by forcing the negotiation of alliances with the minor

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[98] Boardman, *Early Stewart Kings, 82; A.B. Ill.*, iv, 724; Fraser, *Douglas,* iii, no. 40; Mss Lauderdale, no. 5
[99] Fraser, *Douglas,* iii, no. 65, 69-71; *RMS,* ii, no. 11; *A.B. Ill.*, iv, 391-2; *SP,* i, 169-71
[100] Fraser, *Douglas,* iii, no. 28, 50
[101] *RMS,* i, no. 481, 502
[102] *RMS,* i, no. 454, 489, 612

nobility of the region, which permitted this group to pursue their own interests.[103] From 1374 the earl of Douglas was a regular visitor to North Berwick and Tantallon, in addition to Edinburgh. A 1374 grant depicts the group around the earl at this time, his cousin Henry Douglas, his son James, Edmonstone, Towers, Crichton, Lauder and Hopringle.[104] Edmonstone, Lauder and Towers all had some connection to March and the southeast, but the presence of Crichton, Lauder and Henry Douglas suggests a component brought in from the western edge of the region.[105] The frequency of Douglas' visits was almost certainly necessitated by the earl's personal network, rather than territorial dominance, which could only be maintained by a combination of physical presence and regular attention to those who indirectly spread his influence.[106] Although Tantallon was built by Douglas around 1360, the written record suggests that the projection of Douglas power in the region did not become regular until the 1370s.[107] Although lacking the coherency and tradition of the earldom of March, the Douglas presence in the southeast had the potential to be a dominant presence, particularly if Angus' southeast interests could be absorbed.

The first indication of the Douglas/Angus alliance is in the summer of 1377. In July 1377, having gained the title of Mar, Douglas persuaded Margaret to relinquish her terce rights in Mar, which included Kildrummy castle, for a 200-merk annuity and the right to occupy Tantallon.[108] This arrangement reflects Douglas' priorities at the time. For all of his interest in the south, it was in his northern estates, where his claims were more tenuous and close to being over-extended, that his immediate personal control was required, his Lothian holdings could be indirectly managed. Following this arrangement, Douglas visited Tantallon on a periodic basis, and the political alliance between Douglas and Margaret became an actual affair. The witness lists for the grants which record these visits suggest an affinity that is divisible into two groups.[109] The Douglas group included the Lindsays, Lauder and

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[103] M. Brown, *Black Douglases,* 176-7
[104] *Melrose Liber*, ii, no. 502
[105] *Melrose Liber*, ii, no. 431, 500-1; *Morton Reg*., i, no. 131-2; MacDonald, 'Kings of the Wild Frontier', 152
[106] M. Brown, *Black Douglases,* 177
[107] C. Tabraham, *Scotland's Castles* (London, 2005), 57
[108] Boardman, *Early Stewart Kings*, 82
[109] Mss Milne-Home, no. 582; *A.B. Ill., iv, no. 724;* Mss Strathmor, no. 11

Glendinning, who appeared elsewhere in the earl's company.[110] The second included Haliburton, Hepburn, Herdmanston and Borthwick, who due to geographic proximity may have had closer relations with Margaret and in the case of Herdmanston had familial ties. Critically, this second group does not appear elsewhere with the earl of Douglas in this period. Between 1377 and 1388 Douglas' interests in the southeast and those of the Angus group worked in tandem. But, as was evident post-1388, this was a fragile alliance based on personalities. Those individuals whose original self-identification included Angus and Douglas links did not necessarily become solely Douglas men.

The 1370s were a period of opportunity in the southeast, although there was relatively little Crown involvement.[111] Douglas and March were interested in consolidating or expanding their influence; and this was made possible by, and reciprocally benefited, the existence of minor nobility who wanted to enhance their own stature or security. Ironically, this competition was made possible by two factors, the tradition of multiplex networks in the region, which permitted a system where lands were held from and service was owed to multiple magnates and the lack of Crown involvement as a primary source of patronage. In a circular development, this lack of Crown interest may have been due to the fact that the region could not function as a political threat to Robert II's reign. The multiplicity of power centres prevented a challenge by one united faction or an individual able to unify the region behind him.

[110] Fraser, *Southesk,* no. 42; Mss Stramor, no.10,11; *A.B. Ill.*, ii, p43-4

[111] See sections on Prestons and Edmonstones in Minor Nobility for discussion of David II's reign, 184-193, 264-265.

Chronology: 1380s and 1390s

The renewed Anglo-Scottish conflict which opened in the 1370s continued throughout the 1380s. The broader political machinations of the decade, including the Franco-Scottish alliance of 1384-5 and the events that culminated in the major campaign of 1388, best known for the death of the second earl of Douglas at Otterburn and the ensuing Douglas inheritance dispute, have been covered in detail by a number of historians. The intent of this section is to consider the evolution of the power structure at a lower level in the southeast; the relationship between and within the royal dynasty and the magnates is not the main focus, although some consideration has to be given to both Carrick and Fife's actions as they pertained to the southeast nobility in particular.[1]

Part of the difficulty with this period is determining the social or political level at which an action originated. Harriss, discussing the structure of late medieval English political society, notes that lordship, a promoter of stability on the local level, could become an ambivalent force when feuds and favours that originated in and gained their purpose from the politics of the royal court entered the local scene.[2] In southeast Scotland this external destabilization was apparent in the period after Otterburn when the settlement of the Douglas inheritance, itself an issue involving trans-regional interests, was informed by the competition between Carrick and Fife for political control of the kingdom. Although the Scottish political scene did not contain the same level of court centred intrigue as England at this time, the presence of three individuals claiming to exercise royal authority, Robert II, Carrick and Fife, made for a persistent lack of clarity in the Crown's command structure and rampant factionalism at the higher levels during these two decades. This problem existed

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[1] For the Scottish political narrative: Boardman, *Early Stewart Kings*; M. Brown, *Black Douglases*; Grant, *Independence and Nationhood*; Nicholson, *Later Middle Ages*. For Rothesay and Robert III: S. Boardman, 'The Man who would be King': The Lieutenancy and Death of David, Duke of Rothesay, 1378-1402', in R. Mason & N. Macdougall (eds.), *People and Power in Scotland: Essays in Honour of T.C. Smout* (Edinburgh, 1992); S. Boardman, 'Kingship in Crisis' (forthcoming). For the campaigns: Grant, 'The Otterburn War from the Scottish Point of View'; Macdonald, 'The Apogee of the Auld Alliance'; Macdonald, *Border Bloodshed*; Macdonald, 'Profit, Politics and Personality'; For the English aspect: C. Neville, 'Scottish Influences on the Medieval Laws of the Anglo-Scottish Marches', *SHR 81* (2002), 161-185; Neville, *Violence, Custom and Law*; A.J. Pollard, 'Characteristics of the Fifteenth Century North', in J.C. Appleby & P. Dalton (eds.), *Government, Religion and Society in Northern England 1100-1700* (Stroud, 1997); A. Tuck, *Crown and Nobility 1272-1461: Political Conflict in Late Medieval England* (Oxford, 1985); Tuck, *Richard II*

[2] Harriss, 'The Dimensions of Politics', 5

even before Carrick gained the lieutenancy in 1384. In the 1370s grants, including the permanent alienation of Crown land, were confirmed by Carrick, Fife, Badenoch and Strathearn. This potential rivalry was due to the entail of 1373 that, until 1384 when Carrick had two male heirs, left the succession open to discussion.[3] After 1384, at least in the south, the major factions were forced to take into account the tripartite division, king, heir (Carrick) and Fife, within the royal dynasty. This competition within the royal dynasty exacerbated local and regional issues, but the political involvement of individuals at all levels was not consistent. The groupings appear to be more distinct in the upper echelons, but such clarity is lacking in the relations on a local level.

In the 1380s two major groups existed, centred on the earls of March and Douglas, the latter a combination of Douglas' affinity and that of the countess of Angus. During this decade the Angus affinity consisted of relatives of Margaret and individuals who acted as officers or business agents of the family rather than a network held together by landholding.[4] Angus's interests were not distinguishable from the larger Douglas network during this period because of the combination of two earls of Douglas interested in the southeast, and the probable uncertainty of George Douglas' legal status: he was later the first Douglas earl of Angus but until 1389 only the bastard son of the first earl of Douglas. Between 1377 and 1388 the Douglas/Angus group was successful and steadily expanding. This expansion has to be seen as a Douglas expansion; Angus was a solid, but static, core piece of Douglas' southeast network. Angus's southeastern affinity may have given Douglas the advantage of a larger set of contacts, but in this period it is impossible to say much about it separately, except that its re-emergence after Otterburn suggests it retained its identity.[5]

One of the factors in Douglas' success in this period is the continuity between the first and second earl's approach to the southeast. From 1381 James, Master of Douglas, was active in the region's government. His presence at Tantallon as a

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[3] Boardman, *Early Stewart Kings*, 141

[4] The Herdmanstons (family and agents), the Lauders (North Berwick and Tantallon stewards) and the Sandilands of Calder. This is part of a general shift that is most clear in the collapse of the great territorial earldoms beginning in the fourteenth century. Grant, 'Development of the Scottish Peerage', 1-10; Wormald, J. *Lords and Men in Scotland* (Edinburgh, 1985), 47

[5] See the Herdmanston section for greater discussion, 257-259

witness for his father's charters, also witnessed by the Herdmanstons and Lauder, suggests that the first earl took clear steps to ensure that the existing personal ties were carried over to the next generation.[6] The first earl died in the spring of 1384, after the campaign to regain Teviotdale.[7] The shortness of the second earl's career precludes a large run of charter record; however, it was evident that he remained involved in the southeast and probably extended his father's network, deepening its base in the local families. The charters in the southeast by the first earl reflect ties with the top of the second rank nobility, men such as Forrester, Swinton, Lauder, Towers, Sandilands and Herdmanston.[8] Connections to Swinton, Lauder and Forrester were especially valuable. These men were part of the Crown's administration in the 1380s and benefited from its patronage; as such they gave Douglas additional administrative connections.[9] The cultivation of the top end of the second rank nobility in the southeast was continued by James, as indicated by grants to William Douglas of the barony of Drumlanrig and to Alan Lauder of land within the burgh of North Berwick, and Swinton's marriage to the first Douglas earl's widow.[10] Additionally, the second Douglas earl's grants to locally important families that lacked regional contacts, such as Kerr and Newton, indicate that he had a broad support base and the ability to take his network of direct contacts down another level.[11] Other families, such as Cranston which held land in Haddington and Lanark, utilized alternative inter-regional connections, suggesting that the network shaped by Douglas was not held together solely by him but became self-sustaining.[12]

The permanence of Douglas involvement in the southeast under the second earl is demonstrated by other subtle signs. In the charter to Alan Lauder of land in North Berwick, the witnesses were a combination of men travelling with Douglas throughout his lands, Glendinning, Borthwick and Thomas Colville; men such as the Bikertons, Cockburns or Cranstons whose appearances were primarily confined to east Lothian and Haddington; and regional lords such as Lindsay of Byres,

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[6] Mss Strathmor, no. 11
[7] M. Brown, *Black Douglases,* 140
[8] *RMS*, i, no. 637; Fraser, *Douglas*, iii, no. 325; Fraser, *Southesk*, no. 42; *Hist. of Peebleshire*, ii, 467; Mss Milne-Home, no. 590-1; *Paisley Reg.*, 43,47; GD436/1/11; GD436/1/7; GD124/1/1121
[9] See Forrester section, 167-169, and *RMS*, i, no. 724, 788
[10] Mss Buccleuch, no. 2; *North Berwick Chrs.* 37; *Swintons,* 16-8
[11] Fraser, *Douglas*, iii, no. 335; Fraser, *Haddington,* no. 282; Robertson, *Index,* 121; *RMS*, i, no. 638
[12] *RMS*, i, no. 638

Borthwick, Haliburton, Lauder and Forrester.[13] Douglas' regional presence was not only a concern for the major nobles, rather he was fully integrated into the local hierarchy and his business routinely involved local landowners. This is, of course, the expected form of behaviour for a lord, but it illustrates the depth of Douglas power. The Douglas earls' affinities tended to be unusually large and widespread with connections to individuals also associated with the Crown administration.[14] The complexity of Douglas' affinity is observable in the retention of men with a university background, men who were adapt at the financial, administrative and delegated tasks required under a magnate with widely spread territories and interests.[15]

The group around Douglas was recognizable even when the earl was not present, which suggests that it existence was not reliant upon the earl but was instead utilized by him. Charters by the Erskines and Montgomerys suggest a high degree of overlap between the local community and the Douglas affinity. The Montgomery family had business dealings with Alan Lauder, principally over land in the barony of Ratho.[16] An Erskine charter of 1384 had a witness list virtually identical to a Douglas charter, including Seton, Colville, Towers, Forrester and Shaw; while in 1385 Erskine granted Forrester land in exchange for a monetary loan.[17] This local community was capable of action that was not always directed by Douglas. The Douglas affinity maintained periodic contacts with the Haliburtons and Sinclairs of Roslin, both independently wealthy, who cultivated their own links to other families, such as the Prestons.[18] In 1388-9, during the Douglas inheritance dispute, the Sandilands of Calder, who had older connections to Douglas,[19] and possibly the Haliburtons would briefly back Malcolm Drummond's claim to the inheritance. This

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[13] Adam Glendinning, Thomas Colville and William Borthwick appear with the Countess of Mar and Douglas, the mother of James, in Mar during this period. *Abdn. Reg.*, i, 167-9; *A.B. Ill.*, iv, 724-6. Colville was a Teviotdale family; the Kerr family was also of Teviotdale, but had Edinburgh connections, a Thomas Kerr was a burgess of Edinburgh involved in the wool trade on the English border. *ER*, iii, 248

[14] See Forrester and Albany sections; M. Brown, *Black Douglases*. 157-80

[15] D.E.R. Watt, 'Scottish University Men of the Thirteenth and Fourteenth Centuries' *Scotland and Europe: 1200-1850,*_T.C. Smout (ed.), (Edinburgh ,1986) 8

[16] *GD1/17/8-10:* the land concerned also involved Egidia Lindsay the widow of Hugh Eglintoun and Sir Alexander Ramsay of Dalhousie, who witnessed Douglas/Angus charters as well. *A.B. Ill*, iv, 724

[17] GD124/7/2; Mss Mar and Kellie, ii, no. 11; Fraser, *Southesk,* no. 44, Mss Erskine, 633

[18] GD122/1/144

[19] GD124/1/1121; Boardman, *Early Stewart Kings*, 131

may have been an attempt to create another power bloc separate from the increasingly dominant Douglas earls.[20] The Douglas network of the 1380s gives the impression of a broad, active network that overlapped with a self-sustaining and independent group. Yet, there is an, admittedly tenuous, impression that there was less participation, in either the Douglas or independent groups, by people whose primary identification lay with March such as the Hepburns and Maitlands.

In comparison to the Douglases, who initiated and shaped Scottish policy as it pertained to England and elsewhere and were interested not only in protecting their own territories but in playing a leading role in the kingdom as a whole, the attitude of March is difficult to decipher.[21] His presence in the major campaigns of the decade, combined with his previous record, would, on their own, imply a hawk, to use modern parlance. Such an attitude would have been fully justified by the fact that both English campaigns in 1384 and 1385 went straight through the east march. Yet, none of the records suggest that he initiated any of the campaigns after 1380; the impression from the chronicles is of a follower of Douglas and Carrick rather than an equal participant.[22] This position as a 'follower' did not detract from his ability to exercise control effectively if needed; in the aftermath of Douglas' death at Otterburn, March took command of the host and was able to prevent the death of the earl of Northumberland.[23] In the face of the aggressive approach taken by the second earl of Douglas, Carrick and Fife, a reasonable question is to what degree March supported a campaign that went beyond the simple restoration of the border. March's behaviour throughout his career suggests an individual for whom a flexible cross-border socio-economic structure was the preferred option, as evidenced by his patronage of the Durham monastery and economic connections to Berwick-on-Tweed. This cross-border economy was graphically demonstrated in the mid 1380s: in 1385 his Cockburnspath garrison was supplied from England, in 1386 two ransoms owed to March were settled by a payment of English grain which he could buy at either Berwick or Dunbar, and in 1387 he was given permission to buy a

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[20] *Cal. Docs.*, no. 391

[21] In the 1390s Douglas was the creator of Scottish policy with Castile, on his own initiative and not under the Crown's directive. A. Goodman, 'A Letter from an Earl of Douglas to a King of Castile', *SHR* 64 (1985), 79

[22] Bower, *Scotichronicon,* vii, 395-7, 403-5; *Chron. Wyntoun*, iii, 18-20

[23] *Chron. Westminster*, 349-51

hundred chalders each of wheat and malt from the counties of York, Northumberland or the bishopric of York for his castle at Dunbar.[24] There is little evidence to suggest a genuine drive for greater integration within the Scottish kingdom, unlike the Douglases. March was, as the events of 1400 demonstrate, keenly aware of his status, as he perceived it, in the Scottish political system; however, this was a static position trading on his earldom's historic position in contrast to the extremely new Douglas earls. March, and his sons, kept a consistently low political and diplomatic profile; they were not frequent attendees of the royal court or in embassies and, aside from the position of Warden of the East March, they were almost entirely absent from the administration.[25]

The last time March acted as the initiator of a raid, as he had in 1377, was in 1380 at the battle of Horserigg when he captured Lord Greystoke, who had been travelling to Roxburgh to take command of the castle.[26] The Horserigg area had been devastated the previous year and would have had little value for a standard raid, so it is probable that this was a pre-emptive strike by March. He is described as having: 'come with an armed force suddenly upon him of set purpose'.[27] That this was a major action planned in concert with Douglas, who was in charge of the western raid on Penrith, is evident from the sources.[28] Horserigg was the last major action until the spring campaign of 1384.[29]

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[24] Supposedly, March's tomb was inscribed: 'Erll George the Brytane' an expression of the fading pan-British sentiment still in existence at this time. S. Boardman, 'Late Medieval Scotland and the Matter of Britain', in E.J. Cowan & R.J. Finlay (eds.), *Scottish History: the Power of the Past* (Edinburgh, 2002), 64n52
See: D. Hay, 'England, Scotland and Europe: The Problem of the Frontier' *Trans of the RHS* 5th ser. 25 (1975), 77-92 at p. 82-3; Goodman, 'Anglo-Scottish Marches' 25; A. King, 'Best of Enemies: Were the Fourteenth Century Anglo-Scottish Marches a Frontier Society?' in A. King & M. Penman (eds.), *England and Scotland in the Fourteenth Century: New Perspectives* (Woodbridge, 2007); *Cold. Corr.*, 60-1, 64-5, 88-90; *ER,* ii, 603*; Cal. Docs.*, v, no. 336, 372, 864
[25] The exception was March's son, Columba, bishop of Moray from 1422-35; D.E.R. Watt, *A Biographical Dictionary of Scottish Graduates to A.D. 1410* (Oxford, 1977), 159-61
[26] Bower, *Scotichronicon,* vii, 397*; Chron. Wyntoun*, iii, 19-20
[27] *Pluscardensis, ii,* 244
[28]Macdonald, *Border Bloodshed*, 61
See Macdonald, *Border Bloodshed,* 61-3 for the dating and location of this battle. It has been incorrectly dated due to the Scottish chronicles (including Pluscardensis) to 1384, and to 1382 because Greystoke's petition is from that year: *Cal. Docs.*, iv, no. 312, 314
[29] *Cal. Docs,* iv, no. 318*; Chron. Westminster,* 40-2, 51, 56,n41. These raids on Northumberland were probably the raids by the earl of March referred to in the 1383 complaint.

March does appear in November 1380 as a commissioner for the truce, but later diplomacy was dominated on the Scottish side by Carrick and Douglas.[30] In 1381 when John of Gaunt took refuge in Scotland during the peasant's revolt, it was Douglas and Archibald Douglas, lord of Galloway, who received him and escorted him to Edinburgh, and it was Carrick, not Robert II, who took the initiative in giving him a safe conduct to do so. [31] This could have been simply practical. Carrick's presence in the region as the lieutenant of the Marches, Douglas regional dominance, and the convenience of the Lauderdale route from Berwick made them the logical leaders in any action.[32] Although, according to Knighton, March did visit Gaunt in Edinburgh, it was Carrick, James Douglas and Lindsay who were rewarded by Gaunt for their aid in 1381 and were directors of Anglo-Scottish diplomacy at the time.[33] Knighton's reference is the only direct evidence for March's participation in the political events of 1381, although a safe conduct issued in 1381 to March and Moray along with James Douglas and Lindsay might indicate diplomatic activity. Alternately, the safe conduct could have been for personal affairs.[34]

In 1384 March was a leader in the raids which won back Teviotdale and Annandale. March was not the instigator of the events of 1384, but he was probably aware of, if not involved in, the planning. Furthermore, both Wyntoun and Bower state that March, Douglas and Galloway were working together in these campaigns, which saw Teviotdale and Annandale restored to Scottish control by April 1384.[35] However, the person immediately responsible was Archibald Douglas, Lord of Galloway. The underlying motivation of Galloway's attack on Lochmaben, as described by the Scottish sources, is very similar to that of March's in 1377: 'the terms of the truce being at an end, Archibald Douglas lord of Galloway, seeing the wrongs and massacres inflicted upon his men by the English, assembled an army of his friends and besieged and took Lochmaben castle.'[36] That Galloway and not

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[30] *Cal. Docs.*, iv, no. 297

[31] See A. Goodman,'Anglo-Scottish Relations in the Later Fourteenth Century: Alienation or Acculturation?' in A. King & M. Penman (eds.), *England and Scotland in the Fourteenth Century: New Perspectives* (Woodbridge, 2007), 239-242 for a discussion of Gaunt's relations with Douglas and Carrick

[32] *Chron. Wyntoun*, iii, 16-7

[33] *Chron. Knighton*, ii, 147; Boardman, *Early Stewart Kings*, 117

[34] *Cal. Close Rolls 1377-81*, 431-2

[35] *Chron. Wyntoun*, iii, 18; Bower, *Scotichronicon*, vii, 395

[36] *Pluscardensis, ii*, 243

March was the motivator for a raid in which the primary purpose was the capture of Lochmaben provides circumstantial evidence regarding the distribution of real power on the Borders. Both Wyntoun and Bower suggest that the attack was considered because Galloway had learned that it was vulnerable due to the difficulties the English had in supplying the garrison.[37] That this information, in a territory nominally held by March, came to Galloway suggests that while March's information network was robust in Berwickshire and Roxburghshire, as indicated by events such as the capture of Greystoke at Horserigg in 1380, it was weak or non-existent in Annandale and the west. This demonstrates the overlap between the network evident in the charter lists, which in the case of March was strongest in the southeast, and the reality of those networks.

March's low profile in the 1380s was accentuated by his failure to fully participate in Carrick's affinity. He is conspicuously absent from the parliamentary records, which are dominated by Carrick, Douglas and Lindsay; his only appearance, significantly, is in 1389 when Fife was the Guardian of Scotland.[38] March's relationship with Carrick is difficult to judge accurately, but there seems to be some indication that in 1383-4 there was tension or, at least, a lack of support.[39] A 1383 agreement between Carrick and Lancaster over payment for damages to English held properties singled out March's actions, with the unavoidable inference that he would be made accountable for those damages.[40] Carrick's following in the southeast was built up around the Douglas/Angus grouping and the Lindsays, whose own ties brought them closer to Angus and Douglas than to March. It must be kept in mind, though, that in the early 1380s March, or more exactly his brother, Moray, were looking to Carrick for support in the north against Robert III's brother, Alexander Stewart, earl of Buchan, whose expansion of power was largely unchecked by the king.[41] Any difference between Carrick and March should not be seen as a definite policy divide, but rather as a sliding scale of support and enthusiasm.

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[37] *Chron. Westminster* 59; *Chron. Wyntoun*, iii, 18-9; Bower, *Scotichronicon*, vii, 395-7
[38] *APS*, i, 201-2
[39] For the internal Scottish debate of these years, see: Grant, A. 'The Otterburn War from the Scottish Point of View', 41-4; Macdonald, *Border Bloodshed*, 82-3
[40] *Cal. Docs.*, iv, no. 318
[41] Boardman, *Early Stewart Kings*, 132-4

The campaigns of 1385 saw a leadership change from those of previous years. In 1377, 1380 and 1384 the hosts were led by the Border lords, in 1385, for the first time since 1346, the action was directed by the Crown, as represented by Carrick and Fife. Wyntoun's description of Douglas, Galloway and Fife as the 'young chivalry,' referred less to their actual ages and more to the idea of a rejuvenated leadership.[42] Robert II did appear, belatedly, at Edinburgh in 1385 to greet the French host, but the active direction of royal policy in the southeast lay with Carrick and Fife.[43] They had appeared in the 1370s, presiding over March Days, and from the early 1380s Carrick had a direct role in the negotiation of Border truces, but it was only in 1385 that members of the royal family took an active role in military affairs. In May 1385 the French were greeted by Douglas and March, but leadership of both the campaign and the accompanying diplomacy was exercised by the representatives of the Crown, unlike the 1355 Franco-Scottish host.[44]

Because of the close alignment between the expressed aims of the Crown and the personal interests of the Border lords, the origin, Crown or nobility, of policy during 1385-88 is unclear.[45] In 1385-89, Fife was a leader of the western raids and his relationship was primarily with Galloway, not Douglas or the eastern nobility. Fife's influence in the southeast is debatable: in 1385-88 he was not issuing charters in the region and his actual role as a military leader may be overstated.[46] By 1384-5, Carrick in his position as lieutenant was responsible for much of the diplomatic work done on the French alliance. His position was weakened by his non-appearance in the field; nonetheless, his control of Crown patronage gave him an advantage. Carrick's exercise of patronage has some parallels with David II, in that similar individuals benefited. However, the proportional distribution of the patronage was different. Carrick's main support base was derived almost entirely from Douglas and the cadet lines of the family, such as Henry Douglas, the brother of Dalkeith,

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[42] *Pluscardensis,* ii, 246-7; *Chron. Wyntoun,* iii, 24, 29-31

[43] Boardman, *Early Stewart Kings*, 137

[44] Froissart has Moray, but given the landing at Dunbar by part of the French and the consistent confusion between the two brothers (March and Moray) it is more likely that it was March: *Froissart*, ii, 35; Macdonald, *Border Bloodshed,* 88

[45] M. Brown, 'Scotland Tamed? Kings and Magnates in Late Medieval Scotland: a review of recent work', *Innes Review 45* (1994), 120-146 at p. 126; Pollard, 'The Characteristics of the Fifteenth Century North', 134

[46] See S. Boardman, 'Chronicle Propaganda in Fourteenth-century Scotland: Robert the Second, John of Fordun and the 'Anonymous Chronicle', *SHR*, 76 (1997), 23-43

William Stewart and William Douglas, the bastard son of Galloway to whom Carrick granted Nithsdale.[47] David II had gained intermittent support from various Douglas men, but he also maintained links with the minor nobility and March. Only occasionally do men such as Orkney or the Haliburtons appear in Carrick's affinity. Virtually non-existent is the cultivation of links at multiple levels, such as David II's patronage of Adam Reclinton, who was also employed by March, or minor families such as Preston and Edmonstone.[48] The narrowness of the group directing policy in the southeast between 1385 and 1388 is reflected in the era's diplomacy. The position of warden of the east march was shared between Douglas and March, which ensured that even when March was an active political played, Douglas retained a dominant position due to his hold on the middle and west marches.[49] Royally appointed ambassadors were also drawn from men close to Douglas. The April 1386 embassy was entirely composed of men whose careers were centred on service to either the Crown or the Douglas/Angus group: Matthew and Adam Glendinning, William Borthwick, William Stewart and Adam Forrester. [50]

Carrick could have developed a southeast affinity with a wider base. In April 1388, he confirmed a charter of Robert II in Haddington; present as witnesses were the earls of March and Orkney, Dalkeith, Erskine, two Haliburtons, Seton, Hepburn, Herdmanston, Maitland and Cockburn.[51] This is a fascinating grouping. Dalkeith, Erskine and Cockburn were all members of the coalition around the earls of Carrick and Douglas. To a limited extent Herdmanston can be viewed as part of the Douglas group, but mostly as a representative of Angus interests; Orkney, the Haliburtons and the Setons were primarily independent operators, although the Haliburtons were connected to Orkney by way of marriage. Hepburn and Maitland were very different; they were associated with March and, outside of military campaigns, were absent from the recent political manoeuvres. This charter is probably evidence for a meeting to discuss the policy of the coming year; and superficially suggests a wide spread basis of support in the southeast, with Carrick as the acknowledged political

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[47] M. Brown, *Black Douglases,* 151
[48] *St A. Lib.*, 416; Fraser, *Douglas*, iii, no. 39; For Recklinton under David II: *RMS,* i, no. 152, 160, 187, 265
[49] *Cal. Docs,* v, no. 859
[50] *Rot. Scot.*, ii, no. 81b
[51] B30/21/3

leader. It was the culmination of the increase in royal interest in southern affairs during 1387-8, a build-up motivated by the coming end of the Anglo-Scottish truce in June 1388.[52] March's cooperation was vital in any action in the southeast, while Orkney, due to his status and wealth, was a leader amongst the independent Lothian nobility at this time; the Haliburton-Orkney connection was particularly important, for while Orkney had wealth, the Haliburtons drew on a large kin-network.[53] In essence, if Carrick had the support of these two men and the Douglas affinity, he would have a following which included all the groups in the southeast. But it must be stressed that in terms of Carrick's political action in the southeast during these years, this group represents the absolute apex of Carrick's support.

The attention given to Otterburn by the chroniclers and later histories is due largely to its massive political fallout, which included the collapse of Carrick's government and disruption of the political status quo in the south which had existed for a decade. Carrick had no way of knowing that his support in the southeast was fundamentally flawed by the personal interests of those involved in settling the Douglas estate following the second earl's death at Otterburn. Douglas' death, without an appointed heir, fractured a previously stable political grouping, which had been Carrick's primary support in the south. However, despite the apparent breadth of Carrick's affinity in 1388, hindsight reveals the existence of potential weaknesses that would be exposed in the post-Otterburn maneouvers. The two core issues were the failure of Carrick's Anglo-Scottish policy and, though not directly relevant, dissatisfaction over his policy in the north.[54] On the collapse of his Douglas support, Carrick's own physical lameness would become the immediate justification for his replacement by Fife, who had been personally successful as a leader, at the 1388-9 Edinburgh council.[55]

Internal Scottish affairs were equally important. Carrick's inability to rein in Buchan's territorial and jurisdictional expansion in the north was a longstanding

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[52] Boardman, *Early Stewart Kings*, 141-2
[53] See Orkney and Haliburton sections, 230, 235-238
[54] See Boardman, 'Broken Promise', *Early Stewart Kings*, 130-53, 134
[55] Bower, *Scotichronicon,* vii, 443*; Chron. Wyntoun,* iii, 39-40

issue that concerned the nobility throughout Scotland.[56] Buchan's advance, and the fact that complaints over his rule had been suppressed under Robert II, had given Carrick the backing of a number of other northern lords, foremost amongst them the Lindsay affinity and Moray. This support encouraged Carrick to remove Robert II in November 1384, on the assumption that he would be a more effective check on Buchan. That Buchan's power continued to expand in the following years, particularly in the Great Glen and at the cost of the earl of Moray, could not have increased confidence in Carrick's political capability.[57] Crucially, these two issues involved the same people: Moray was the brother of the earl of March, while Buchan's influence in Angus and Mar ensured the involvement of the Douglas/Angus group. These issues were points of possible discontent. In and of themselves they were not sufficient to cause immediate problems, especially when Carrick's control of Crown authority and patronage was virtually complete.[58] However, when these broad points of discontent with Crown policy were combined with internal conflict, the brittle nature of Carrick's support base was revealed and encouraged the emergence of groups either neutral to the conflict between Carrick and Fife, or supportive of Fife.

The dispute over the Douglas inheritance shattered Carrick's base of support and rearranged the actors in the southeast. The alliance between Galloway and Fife is well attested; but it also briefly included March and Moray, both of whom reappear on the political scene. March's position in 1388-1390 is ambiguous. As the only major individual in the region with no claim to any portion of the Douglas inheritance, he seems to have tried to remain on good terms with all the players; but he probably gravitated towards Angus rather than Galloway if only because they overlapped both geographically and in their affinities. March was, however, on good terms with Fife, who was closer to Galloway than to Angus. In early 1389 March was present during Fife's visit to the southeast, during which Fife agreed to allow the countess of Angus to remain in possession of Tantallon; March was also at the April

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[56] For the career of Alexander Stewart, earl of Buchan, and that of his son into the fifteenth century: S. Boardman, 'Alexander, earl of Buchan, Wolf of Badenoch', *Northern Scotland* 16 (1996), 1-29 and M. Brown, 'Regional Lordship in Northeast Scotland: the Badenoch Stewarts II', *Northern Scotland* 16 (1996), 31-53

[57] Boardman, *Early Stewart Kings,* 132-5

[58] Boardman, *Early Stewart Kings,* 140-1

1389 Parliament and was a witness to a grant by Robert II to Fife in Dunfermline.[59] This was an unusual amount of political activity for March, who was not generally in attendance at court. The change in the control of the Scottish government in 1389 was financially beneficial for March. In 1389 he began to receive a £100 annuity, which he claimed until the spring of 1400, ostensibly for his services to the king and Carrick. As well, between 1389 and 1391 the Exchequer paid him an indemnity for damages by Sir Walter Stewart of Brechin to lands in Kilconquar.[60] Fife's financial control as chamberlain, previously hampered when Carrick was in power, was now combined with his position as lieutenant and it is likely that March's annuity was connected to this administrative shift. Regardless of who, Robert II, Carrick or Fife, was the force behind the creation of March's £100 annuity, it was a high level example of a critical trend developing in Scottish government, namely the practice of explicitly granting cash pensions as retaining fees.[61]

While March turned to the royal court to secure his position, the regional uncertainty was also expressed at a lower level. Haliburton, Drummond and Sandilands turned to Richard II of England for the protection of their lands; their search for protection from a source outside the Scottish political community illustrates the consequences of national or trans-regional conflict when it impinged on the local community.[62] This group was unable to gain support from either the Crown or the magnates with whom it was traditionally allied, in particular Angus, because their interests were in opposition. Drummond sought title to all of the Douglas estates, including those held from Angus, and Sandilands' claims also conflicted with Angus. Haliburton's appeal, however, seems to have been a pre-emptive decision to protect his own lands against all possible circumstances. That English raids remained a genuine concern was demonstrated in December 1388 when a raid led by the English captain of Berwick reached the Firth of Forth without interference. Previously such distance was only obtained under royal or semi-royal armies and this may be a reflection of the internal disarray in southeastern lordship.[63]

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[59] Fraser, *Douglas*, iii, no. 340, *APS*, i, 201-2; *A.B. Ill*, ii, 31
[60] *ER*, iii, 203-499,203-53
[61] Nicholson, *Later Middle Ages*, 211-2
[62] *Cal. Docs.*, iv, no.391; Grant, 'The Otterburn War from the Scottish Point of View', 52
[63] A. Goodman, 'Introduction', in A. Goodman & A. Tuck (eds.), *War and Border Societies in the Middle Ages* (London, 1992), 9

The combined concern over English retaliation, the confrontation over the Douglas inheritance and the lack of confidence in the Crown created an element of uncertainty in the southeast over loyalty and the protection of property in 1389.

The group around March at this time included the Hepburns and Maitlands along with Moray and his other family members.[64] It also attracted several other individuals, foremost amongst them the Swintons and the Herdmanstons and a cordial relationship may also have existed with the Douglases of Dalkeith.[65] Both the Swinton and Dalkeith families were adrift; the dissolution of the Douglas family left these families in the position of either supporting Galloway, whose interests lay in the southwest and not the southeast, or the Angus group with whom they had not been traditionally aligned. This was also true for others: the Haliburtons, Drummonds, Sandilands, Cockburns and Edmonstones were all families which had to reassess their own alliances at this point. March's activity at court may also indicate uncertainty. However, it may also have been generated by issues surrounding Crown control and not over the combined issues of English retaliation and the Douglas inheritance question, which were the primary concerns of the other smaller families.[66] This is made more probable if one considers the competition for royal marriage which occupied March, Douglas and Angus for much of the 1390s.

The two principle supporters of the Angus group were the Herdmanstons and the Lauders.[67] While the Herdmanstons were almost exclusively local, the Lauder connection tied the Angus group into a family with a long record of judicial service to the Crown and which held land across the southern regions from the Crown, Lindsay, Douglas and March.[68] Alan Lauder was active from the 1360s and probably into the 1390s. Alan had been a vital supporter of the first and second earls of Douglas; however, the alliance with the countess of Angus in the late 1370s represented a genuine turning point in Alan's career, which laid the foundation for

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[64] *Laing Chrs.*, 81
[65] Fraser, *Douglas*, iii, no. 340; *A.B. Ill*, ii, 31; iv, 161-2; *RMS*, i, app.2 no. 1685
[66] March may have seized the opportunity to gain concessions from the Crown due to its weakness. Wormald, *Lords and Men*, 41-2
[67] For the Herdmanstons, see 250-262
[68] *Yester Writs*, no. 19, 24; *Liber Kelso*, ii, 404-5; *Liber Melrose*, ii, 431; *Edin. Recs.*, 248; *Paisley Reg.*, 43, 47; Mss Lauderdale, p611; *Hist. Peebleshire*, ii, 467; GD1/17/8

the Lauder's allegiance to the Angus faction after 1388.[69] In the wake of Otterburn Alan remained with the countess and by doing so kept, if not strengthened, the family's North Berwick position. His refusal to hand over Tantallon to Fife in 1389 did not damage his standing with the countess, for whom he continued to witness charters.[70] The Lauders' support for the Angus faction remained evident in the 1390s: James Sandilands of Calder, one of the primary Angus men, granted George Lauder land in this decade.[71] It was not until the fourth earl of Douglas' career, post-1400, that the family reappears as a Douglas supporter.

While the Lauders and the Herdmanstons had the option of backing Douglas or Angus, the loyalties of other families are less clear. One example of the far-reaching ramifications of the internal Douglas split may be seen with the Swintons. Previously, they had been associated with Douglas and with March.[72] March's alliance with Angus, however, may have forced them to reduce their Douglas involvement for the time being. They required March's support due to their intimate interest in the ongoing dispute over Coldingham priory: in 1382 John Swinton had been granted Meikle Swinton in Coldingham barony by the Abbot of Dunfermline.[73] At that time the grant, already confirmed by Robert II, was confirmed again by Carrick; this was legally unnecessary, Carrick was not the feudal superior, but it was valuable in ensuring that Swinton's hold on the land was recognized by the heir to the throne, and the person who, at the time, directed Anglo-Scottish policy.[74] In 1393, when the Coldingham issue was again active, Robert II's confirmation of this grant was confirmed by papal authority and ratified by the prior of Coldingham, who had returned to Durham obedience.[75] The acceptance by Durham of the Dunfermline grant was probably part of the negotiated settlement over Coldingham which had been arranged in 1392, primarily under the direction and support of March, even

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[69] Fraser, *Douglas*, iii, no. 333, 335; Fraser, *Southesk*, no. 42; Mss Strathmor, no. 10, 11; *A.B. Ill.*, iv, 724; *North Berwick Chrs.*, 37; Mss Buccleuch, no. 2; Fraser, *Haddington*, no. 282; GD436/1/11; GD436/1/7

[70] Mss Lauderdale, no. 5; Fraser, *Douglas*, iii, no. 42, 340

[71] *RMS*, i, app2. no. 1686

[72] They also had connections in the early 1380s to John of Gaunt: Goodman, 'Anglo-Scottish Relations', 241-3

[73] *Swintons*, app. no. 3, 4

[74] Boardman, *Early Stewart Kings*, 114

[75] *Swintons*, app. no. 3, 6, 8. Carrick's reconfirmation was apparently now seen as redundant.

though the settlement was not in his best interests.[76] Swinton, therefore, had a common interest with March that required his support. Curiously, this papal confirmation for Swinton was ratified at Tantallon; a piece of evidence that not only suggests that Tantallon had become an important meeting point in the southeast, but reaffirms the close connections in the region at this time and the re-emergence of Angus as a separate point of power during the 1390s.

Tantallon was a physical advertisement of Angus' presence in the southeast. However, Angus' continued occupation of Tantallon was dependent on the relationship with Fife. The castle and the barony of North Berwick had been held by Douglas from Fife; the arrangement that permitted the countess of Angus to occupy it was between her and Douglas, not Fife. This statement of ownership was clearly laid out in the Linlithgow council of August 1388 after Otterburn; therefore, her legal claim was dubious.[77] Fife could well object to her continued occupation of the castle. However, this issue had the potential for dragging Fife into the conflict between Angus and Galloway over the Douglas inheritance. Prior to this difficulty, contact between Fife and the countess was rare and limited to basic administrative tasks: in 1385 Fife granted William Stewart, her brother, land in Perthshire; this land had been resigned by her, and if William's heirs failed it was to be held by her heirs.[78] The possibility of Fife being drawn into the conflict was averted during January 1389. In the winter of 1388, at Edinburgh, Fife replaced Carrick as the custodian of Scotland; at this same time, Alan Lauder was ordered to turn Tantallon, of which he was the steward, over to Fife.[79] This demand seems to have been a miscalculation on Fife's part: barely two weeks later, Fife was at Tantallon; where he made an agreement with the countess that she could occupy it for as long as she wished, with free movement for herself, her family and her men. Fife was permitted free access to the castle, which he does not seem to have exploited, and he would in turn protect her from anyone who would wrong her or her property.[80] Fife's concession of Tantallon averted his involvement in the Douglas conflict, since by re-

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[76] A.L. Brown, 'Priory of Coldingham', 94-7
[77] *APS,* i, 201
[78] Fraser, *Douglas,* iii, no. 39
[79] *Chron. Wyntoun*, iii, 39-40; Mss Lauderdale, no. 5
[80] Fraser, *Douglas*, iii, no. 40

affirming the previous status quo he essentially abdicated himself from the affair.[81] Additionally, it was a tacit recognition of the fact that wresting control of Tantallon from the Angus group would be nearly impossible, expensive and politically fatal, since he would lose any possible support from the intertwined March, Angus and Lothian network, a network to which he had no other solid connection except his good relations with the Angus group. This group was necessary if he was to retain Crown control.

Fife's gesture of goodwill following his failure to gain the castle may have been directed at this network, and it bore a remarkable resemblance to Carrick's southeastern activity in 1387-8. At some point in early 1389 the countess granted her sister and her husband, Alexander Hamilton, the lands of Inverwick in the constabulary of Haddington along with lands in Abernethy. The witnesses for this grant were: the earls of Fife, March and Moray; John and Walter Herdmanston, Alan Lauder, Henry Wedale and John of Ochiltre (the public notary).[82] This charter lacks a place, but given the presence of the Herdmanstons, Lauder and Wedale, it is extremely likely that it was drawn up at Tantallon during the same time as Fife's agreement with the countess. It represents, therefore, a meeting of the men controlling the south-eastern coast. This meeting, along with the charters to Swinton and Herdmanston, suggests a March-Angus coalition at this time.

The April 1389 parliament marked the new distribution of power and territory. This parliament was attended by the bishops of St Andrews and Dunkeld, the earls of Carrick, Fife (as the custodian of Scotland), Angus and March, Galloway (not yet named as earl) and Thomas Erskine.[83] The attention paid to, and the unusual involvement of individuals from the southeast, in addition to the royal and Douglas contingents, indicates the importance and instability of the region at this time. The parliament formalised the division of the Douglas inheritance: Douglas of Dalkeith received his uncle's lands of Staplegordon, Westerkirk and Liddesdale while Galloway was the main benefactor, gaining Selkirk Forest, despite Malcolm Drummond's claim; the bulk of the Douglas lands, including Lauderdale; and the

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[81] M. Brown, *Black Douglas,* 86
[82] Fraser, *Douglas,* iii, no. 340
[83] *APS*, i, 201-2; Fraser, *Douglas*, iii, no. 296, 341

title of the earl of Douglas.[84] However, this parliament also marked the emergence of George Douglas as an independent actor: Margaret resigned the earldom of Angus, the lordship of Abernethy and the barony of Bonkle in Berwickshire, all of which was immediately regranted to George as the earl of Angus. While he gained only Tantallon from the former Douglas estates, the formal recognition of his status as the earl of Angus was vitally important considering his bastard status.[85]

In 1388-9 the group around Angus, composed of followers of the first and second earls of Douglas along with the family group held together by the countess, and the group around March, largely unchanged from the 1370s, accounted for the majority of the second rank nobility in the southeast with a few notable exceptions. These exceptions can be broken into two groups: those who had a direct stake in the Douglas dispute and a small group with no direct interest. Foremost in this first group were the Douglases of Dalkeith but it also included the Drummonds, Haliburtons, Sandilands of Calder and Edmonstones. While the members of this group shared similar goals, the attainment of their claims on the Douglas inheritance, this did not lead to cooperation and it is clear that in several cases this similarity engendered conflict. This group probably caught the attention of, if not the actual support, of the more neutral families, those with no direct stake in the Douglas dispute but who could profit from the more fluid situation. This tentative and amorphous group included men such as the Prestons and Sinclairs of Roslin. Lastly, and a minority in the southeast, were men such as Cockburn or Erskine, whose allegiance was transferred with little interruption to the third earl of Douglas.[86]

At the end of Robert II's reign, the situation in the southeast was very different from that of a decade earlier. The Douglas affinity was reduced, and in the next ten years it would rely on indirect control through several individuals who remained close to the third earl. March remained a potentially significant player on the Borders. It was the countess of Angus and her son, however, who benefitted the most: with formal legal control of the Angus estates, they were positioned to build a new group out of the independent nobility and the remnants of the Douglas affinity.[87]

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[84] M. Brown, *Black Douglas*, 86
[85] *APS*, i, 201-2
[86] See *RMS*, i, ad indicem
[87] *APS*, i, 201-2

Yet, despite this promise, the 1390s would be dominated by the intrusion of high level political manoeuvres into the local scene. While the Angus-Douglas feud remained a critical local issue, the arrival of David Stewart, Robert III's eldest son, earl of Carrick and from 1398 Duke of Rothesay, on the scene caused a greater conflict between March and Douglas over the possibility of marrying their daughters to David as the heir to the throne.[88] This conflict had immediate ramifications at all levels of society.

David's presence in the region was confined to two areas of concern: the available financial resources and the regulation of the Borders, where his support for Douglas' encroachment in Jedworth, objected to by Percy in 1397 signalled both his alliance with Douglas and his willingness to aggressively confront the border issue.[89] David's determination to develop his power was also clear in his financial activity. In 1397 Adam Forrester was reprimanded for paying Rothesay without the king's permission; Robert III had apparently forgotten that he had been paid in the same fashion, and by the same men, in 1384-5.[90] Forrester's position as the custumar of Edinburgh was vital for someone in David's position. His cooperation allowed David to operate independently of the king's control. This payment coincides with David's increasingly serious attempts to operate independently of Robert III.[91] In 1401, when there was the external threat of raids by the earls of March and Northumberland, David did visit the region, but this was limited to appropriating customs revenue and did not impinge upon Douglas' network. David's lack of contact with Robert III's court by 1401 may also his support.[92] One of David's failures was his complete lack of any network below the level of Albany and Douglas, both of whom owed their own success in a large part to the cultivation of such networks.[93]

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[88] An added complication was the possible English marriage for David, which was considered in correspondence between Richard II and Queen Annabella in 1395: Goodman, 'Anglo-Scottish Relations', 248

[89] *Chron. Wyntoun*, iii, 65

[90] *ER*, iii, 118, 407-8

[91] Boardman, *Early Stewart Kings*, 206

[92] Boardman, 'The Man who would be King', 12; David also attended a March Day in 1401: C.J. Neville, 'Keeping the Peace on the Northern Marches in the Later Middle Ages', *English Historical Review* 109 (1994), 1-25 at p. 17

[93] Boardman, 'The Man who would be King', 9; M. Brown, 'Scotland Tamed?' 132

David's attempt to avoid dependence on Douglas was a factor in the marriage alliance proposed with March by 1395.[94] This would have shifted the balance of power in the region, especially since it is probable that the Angus group would have followed March as well, given Angus' neutral or positive association with March in the 1388-90s. Although, David, because of his close association with Douglas, had reason to avoid close ties with Angus, as the local Angus-Douglas feud remained an issue. A marriage into March's family would have given David an immediate regional backing and would have aided March against continued Douglas encroachment.[95] Douglas' coup in getting the king's support for his daughter gave him a stronger position at the royal court; and it also ensured that March was effectively prevented from using a kin relationship to balance, if not trump, Douglas' dominant position in the Crown administration, created by his association with Albany. March's unexpected reaction of going to England for aid, leading directly to his forfeiture, could not have been foreseen but it cemented Douglas' position in the southeast as well as at court.[96]

March was weakened by the fact that, unlike Douglas, he did not and could not play a major role outside of the southeast. He was a key player in only one area, the Anglo-Scottish relationship. In some respects his lack of Scottish alliances was a positive factor as it permitted him to remain aloof from the Douglas inheritance dispute, but it, nevertheless, lessened his overall usefulness within the Scottish kingdom. It was this factor that may have tipped Robert III into backing a Douglas marriage.[97] March's geographic position remained strategically vital, as evidenced by the events of 1400-02. However, during the 1390s Anglo-Scottish relations were

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[94] Bower, *Scotichronicon*, viii, 10

[95] Macdonald, 'Kings of the Wild Frontier?' 151

[96] Bower states that March threatened 'unheard of and unusual' action prior to going to England. Bower, *Scotichronicon*, viii, 31

[97] Bower, *Scotichronicon*, viii, 5, 31-3, 150n11-15; Robert III's siege of Dunbar is dated to 1395-6 here

predominantly played out in the more subtle arena of diplomacy.[98] Raids continued to occur on both sides of the Border, but the mechanisms of redress were used frequently and the overall scale of the raids was relatively minor.[99] The diplomatic angle can be observed in the various embassies sent to England and the attendance at tournaments by a number of prominent individuals.[100] It was also evident in the advances in Borders law, including locations for March Days and legal procedures for tribunals.[101] March's support of Durham's successful attempts to regain supremacy over Coldingham indicates this more cordial environment.[102] March's personal relationship with England was close at this time: in 1393 March received special protection for his possessions from the English Crown, assuming he did no damage to English property during the agreement. This may have been connected with English attempts to recruit him for expeditions in Ireland.[103]

March maintained hope for the marriage until 1400, but he may have felt that his position was jeopardized for he did have an English safe conduct in 1397, following Robert III's attack on Dunbar in 1396, which was undertaken to halt the marriage.[104] Robert III's refusal to support David's marriage to March's daughter, which led to the attack on Dunbar, was probably due primarily to conflict between the king and David and not, originally, between the king and March.[105] The repercussions of this marriage are a textbook example of high level, central conflict

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[98]Neville, *Violence, Custom and Law*, 78-80; Bower, *Scotichronicon*, viii, 3; *Chron. Wyntoun*, iii, 47-50. It should be noted however, that while March's defection opened the Border for penetrating English raids in 1400-02, it did not, as he had perhaps hoped, cause the men of the earldom of March to transfer their allegiance as well; unlike the Wars of Independence when personal allegiance was wedded to territorial designations; for the issue of personal and national allegiance see Barrow, 'Lothian in the First War of Independence', 18 and G.W.S Barrow, 'The Idea of Freedom in Late Medieval Scotland', *Innes Review* 30 (1979), 16-34; M. Brown, 'War, Allegiance and Community in the Anglo-Scottish Marches: Teviotdale in the Fourteenth Century', *Northern History* 41 (2004), 219-238. March's personal loyalty could and was separable from his territory. This, it should be stated, was fundamental shift in the concepts of both the state and of loyalty. See Goodman, 'Anglo-Scottish Relations' for a discussion of the social and cultural relations of the decade.

[99] Goodman, 'Anglo-Scottish Relations', 244; Macdonald, *Border Bloodshed,* 119, 131; Tuck, *Richard II,* 164: England's desire to scale back the conflict was also due to its need to resolve the French situation.

[100] *Chron. Westminster*, 437; Bower, *Scotichronicon*, viii, 11-15; *Cal. Docs.*, iv, no. 469

[101] Neville, 'Keeping the Peace', 12-16

[102] A.L. Brown, 'Priory of Coldingham', 94-8

[103] *Rot. Scot.*, ii, 119; Macdonald, *Border Bloodshed,* 124

[104]*Rot. Scot.*, ii, 136; Bower, *Scotichronicon,* viii, 5, 31-3, 150n11-15

[105] Boardman, *Early Stewart Kings,* 203-4

being played out and having immense repercussions at the regional or local levels.[106] In the 1370s the competition between the southeast magnates had primarily been played out on the local stage through the recruitment of minor landowners; in the 1390s it was taken to the national level and was concerned with gaining exclusive access to the Crown's patronage. This national level is evident in the church's attitude to the marriage dispute. March's suit was backed by the bishop of Aberdeen, while Robert III's opposition was supported by the bishop of St Andrews.[107] Douglas' regular attendance at court paid off handsomely because this aspect of the March-Douglas conflict was played out in the court and not in the local region.[108]

The approach taken by Archibald Douglas, lord of Galloway and, after 1389, the third earl of Douglas, to the southeast was radically different from that of his predecessors. The settlement of the Douglas inheritance had lost him the North Berwick estates, but the third earl still held Lauderdale and consequently remained the major landholder in the region. Yet, there is no evidence to suggest that he spent substantial time in the region or that he tried to extend his affinity, unlike the first and fourth earls. While the earl was not an active participant in the region's affairs, it would be incorrect to assume that he had no influence. This influence, while not recorded locally, was apparent at the royal court. There was a group of men who consistently appeared with him at the court: Alexander Cockburn of Langtoun, Douglas of Dalkeith and Thomas Erskine. Both Cockburn and Dalkeith could easily have functioned as conduits for Douglas influence in the region. Cockburn's court presence was limited to the early 1390s, but his position as the Keeper of the Great Seal indicates that he had a high level of responsibility, if not genuine influence.[109] The other southeast individual prominent at the royal court was Adam Forrester. However, his appearances with no connection to the Douglas group suggest a more active and untrammelled role based on his influence as a Crown administrator.[110] His appearances beside Douglas are limited to the parliaments and councils of the

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[106] It should also be remembered that personal emotion and family honour played an important role. Macdonald, 'Kings of the Wild Frontier?', 158
[107] Boardman, 'The Man who would be King', 14
[108] Boardman, 'Kingship in Crisis', forthcoming
[109] *RMS*, i, ad indicem; *Moray Reg.*, no. 172
[110] See Forrester section, 169

decade, in 1394, 1395, 1398, and 1399, which are not proof of any particular relationship between the two men.[111]

Dalkeith's position is particularly relevant when considering the potential for indirect Douglas power. Dalkeith was well positioned geographically, for, in addition to his Edinburghshire holdings, he also had significant interests in Linlithgow.[112] In April 1389 Dalkeith gained the lordship of Liddesdale, winning out over the claim made by Drummond who also lost the sheriffship of Roxburgh at this time. Dalkeith's consistent appearance alongside Douglas at court suggests that the alliance between the two men continued throughout the 1390s.[113] Dalkeith directly benefited from his support of the main Douglas line. In 1400, he gained a £40 annuity from the Edinburgh customs; more significantly, in 1401 Dalkeith was made a free burgh of barony and in 1405 its church was granted collegiate status.[114] Dalkeith's support for Douglas would continue under the fourth earl, for whom he was a hostage in 1405, 1407 and 1408. As with other families, however, this did not preclude potentially independent action. His appearance as a witness for Robert III in late 1404 may be an example of such behaviour since no other Douglas adherents were in evidence.[115] Dalkeith's support for Douglas and his position in Liddesdale meant that he was in direct conflict with the earl of Angus.

The role of Angus in relation to the Crown is enigmatic. It is not clear if he supported Robert III's action in opposition of the Rothesay-March marriage or not. A case can be made for both arguments: his royal marriage in 1397 suggests that he held the king's favour; yet Douglas was the most likely to gain from the failure of the Rothesay-March marriage, and Angus was in dispute with Douglas. Angus' royal wedding to a daughter of Robert III in 1397 must be seen as part of the competition at the royal court.[116] Although the marriage had been arranged by the Countess, Angus was active in the region, appearing at the 1398 March Days and arranging the wardship of the son of James Sandilands, an important familial supporter.[117] Robert III may have hoped for southeast support by means of this marriage, to

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[111] *APS*, i, 210, 212, 219; *Melrose Liber,* ii, no. 495
[112] Dennison, *Historic Linlithgow*, 16
[113] *APS*, i, 201-2; *RMS,* i, ad indicem; *Holyrood Liber* 226-7
[114] E.P. Dennison, *Historic Dalkeith* (Edinburgh, 1998), 19-21; *RMS*, i, app.2 no. 1773
[115] GD25/1/26; Fraser, *Douglas*, iii, no. 52; Cal. Docs., 706-7, 762
[116] *A.B. Ill,* iv 165-6; Fraser, *Douglas*, iii, 38-9
[117] *Chron. Wyntoun,* iii, 65-6; Fraser, *Douglas*, iii, no. 46, 49

counterbalance Rothesay's potential alliances with either Douglas or March. Certainly, Angus was capable of challenging the third earl of Douglas and Douglas of Dalkeith, the latter, in particular, over the lordship of Liddesdale.[118] At the regional level this competition was expressed in the Angus-Douglas feud, which continued from 1398 until at least 1400.[119] After 1400, however, the presence of an immediate and serious threat posed by March, whom Angus' was unwilling to support, forced a temporary truce between Angus and Douglas. Angus' appearance at Bothwell in May 1400 as a witness for Douglas along with Stewart of Teviotdale, Borthwick, Edmonstone and Hay was a meeting which may have included a discussion on March's actions.[120] The death of Angus in 1402, following his capture at Homildon Hill, changed the circumstances and the temporary truce became more lasting due to the imbalance of power between the two groups: Douglas was a national leader and the Angus earldom was in a minority. This situation would persist throughout most of Albany's ascendancy and cooperative behaviour is evident between the two groups at the level below the earls, in particular among the Herdmanston, Borthwick and Hay families.[121] However, in the 1390s tension between the two groups was evident at the lower levels.

The continuation of the Angus-Douglas feud, which had arisen from the second Douglas earl's death, was generally played out between subordinates, in particular between Douglas of Dalkeith and Herdmanston. The conflict over control of Liddesdale was the exception to this primary role of subordinate families. In 1400 Angus' claim to the lordship was renewed in his swap with the Drummond family, in which he gained Liddesdale in exchange for Mar, Garioch and other lands north of the Forth that the countess of Angus had held.[122] In the short term this must have increased tension with Dalkeith; in the long term, however, the family's move into the Borders region would be valuable, as it positioned it as agents for James I in the

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[118] Boardman, *Early Stewart Kings,* 205
[119] Boardman, *Early Stewart Kings,* 205
[120] Fraser, *Douglas*, iii, no. 51
[121] See Herdmanston, 1400-06 and 1406-20 sections. In the 1430s William Angus re-emerges to carry out James I's policy on the east march, a partial fulfilment of his potential in the southeast, his son, James, who succeeds him in 1439 also remains regionally active in James II's minority. Fraser, *Douglas*, iii, no. 69-71, 73-4, 76, 302; mss Milne-Home no. 631; *A.B. Ill.*, iv, 390; *RMS*, ii, no. 111
[122] M. Brown, *Black Douglases*, 109-11; Fraser, *Douglas,* iii, no. 51

1430s.[123] The direct participation of the minor nobility was evident: the attack on the Douglases of Dalkeith by Angus' men, probably the Herdmanstons, the Swinton-Gordon feud, famously set aside in 1402 to deal with March, and the Balveny/Haliburton/Herdmanston-Orkney/Fleming/Seton and James I feud of 1405-6. In all of these cases the expansion of magnatial power, at the expense of another magnate, was the fundamental issue, but the minor nobility were intimately involved and, as always, these connections were not monolithic expressions of solidarity but included a substantial element of self-interest. The attack on Dalkeith was almost certainly directed, in part, by Angus; the Herdmanstons and Sandilands were likely acting on his behalf.[124] Yet, Orkney's participation, and perhaps that of Lindsay of Byres, in the same raids must have been more a matter of opportunism, as neither had a sustained connection with Angus. The feud between Swinton and Gordon in the 1390s can not have been eased by an undercurrent of tension created by the overlap of March and Douglas in the area. For all that Swinton required March's support for his claim on Coldingham in the 1390s the family was usually associated with the Douglases.[125] Gordon, on the other hand, had been a leader in March's host during the 1370s and 1380s.[126] Yet, the Gordons, like the Maitlands, turned against March and worked with, although probably not for, Douglas after 1400; to do so with greater effectiveness required repairing their horizontal relationship with the Swintons, not solely the vertical ties to Douglas or the Crown.[127] Lastly, the 1406 conflict, covered in the next section, while fundamentally a Crown-Douglas conflict was acted out amongst a group of rising individuals who aimed to make a place for themselves in the turbulent politics of the decade.

The 1380s saw the entrenchment of the Douglas family in the southeast. Yet, this was not, at this point, detrimental to the other magnates or lesser nobility, though it may have checked their further advancement. Following the failure of the Douglas line, and the subsequent dispute, in 1388-9, Angus, March and the lesser nobility were all able to regain influence. However, the combination of royal dynastic politics and local tensions during the 1390s created an explosive situation. The

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[123] *Fraser, Douglas*, iii, no. 69-71
[124] For a discussion of the Angus-Dalkeith feud see: Boardman, *Early Stewart Kings*, 205-6
[125] *Swintons*, no. 6-8; A.L. Brown, 'Priory of Coldingham', 98
[126] *Chron. Wyntoun*, iii, 10-13
[127] Bower, *Scotichronicon*, viii, 47

addition of the Crown influence, not as a separate source of power, but as a power source closely connected to a magnate destabilized the structure. The events of 1400-02 and 1404-06 would see the consequences of this addition vividly played out in the southeast.

Chronology: 1400-06

The events of 1400-06 radically re-aligned the southeast.[1] In 1400, with his defection to English allegiance, March changed from a competitive rival within the structure to an external and immediate threat to the structure, especially after he, with support from the earl of Northumberland, led a series of punitive raids in 1400-02. This forced Angus-Douglas cooperation, as well as giving the new earl of Douglas an unparalleled opportunity to expand his following in what had been March's territories. It also permitted a level of self-direction by the second rank nobility similar to that in the 1330s by Preston, Ramsay and William Douglas. The rise of the second rank nobility is evident in three areas: the earl of Douglas' affinity, the local response to March's actions and in the faction which emerged 1404-6 intent on turning the heir to the throne, James I, into an active power. The disastrous raids of 1402, which decimated the southeastern nobility, and James I's capture in 1406 wiped out these groupings, leaving Douglas, with some important qualifications, as the major power centre in the southeast after the death of Robert III. A preliminary examination would conclude that the new earl of Douglas, far more interested in actively recruiting in the region than his predecessor, was the primary leader, given his status both regionally and nationally. However, while he led campaigns in 1401-02 and was in direct communication with the English Crown, the impetus and direction of offensive action in the region was equally shaped by the local southeast nobility.[2]

The feud between March and Douglas over control of the earldom of March and the castle of Dunbar was part of an existing national and international situation. Relations between the king and March were soured by the Crown's decision to back a Douglas-Rothesay marriage rather than the earlier marriage of Rothesay to a March daughter, this provoked his removal to England. But the catalyst for the violence in 1400-02 was regional. The illegal seizure of Dunbar by Douglas and the post-fact Parliamentary approval of Douglas' action, along with the grant to Douglas of the custodianship of Edinburgh castle provoked March's raids.[3] March's February 1401

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[1] For the English attacks of 1400, including Henry IV's raid: A.L. Brown, 'The English Campaign in Scotland, 1400', in H. Hearder & H.K. Loyn (eds.), *British Government and Administration* (Cardiff, 1974); Macdonald, *Border Bloodshed*, 140

[2] *Cal. Close Rolls, 1399-1402*, 568; Fraser, *Douglas*, iv, 62-5; Bower, *Scotichronicon,* viii, 33, 43-5

[3] Nicholson, *Later Middle Ages*, 218-9; Boardman, *Early Stewart Kings*, 226-228

raid followed the January decision to forfeit him at the February parliament. Douglas seems to have been the driving force behind both the decision to forfeit March and the delay in truce talks proposed for March or April. It is notable that both Rothesay and Albany were apparently willing to discuss the problem of March, but that Rothesay felt that the talks should be held at Carlisle and not Melrose due to obstruction by Douglas. In October 1401, after truce talks failed at Kirk Yetholm, Douglas led a raid into Northumberland and attacked Bamburgh.[4] In the following year a series of retaliatory raids culminated in the disaster of Humbleton Hill, at which Douglas, Angus, Orkney, Murdoch Stewart and the majority of the leading southeast nobility were captured.

These events, with their grave effects on the southeast power structure, occurred within a national and international context. As in 1377-1380 when March's actions used, and were used by, the Crown in furtherance of its policies, the immediate catalysts for events were local issues, royal policy gave direction and set parameters but did not necessarily include direct intervention. The Crown's policy might dictate the degree to which conflict in the Borders region would be discouraged, ignored, or clearly supported, but not the existence of the conflict. In this instance a more aggressive stance was encouraged by the Crown's actions. In the fall of 1401, and definitely by January 1402, the earl of Crawford was in France arranging plans for a campaign against English shipping in the Channel for the following spring.[5]

In the royal circle Douglas dictated the response to March's actions; not only was it 'his' geographic region but Douglas also had a personal stake in ensuring that March was re-instated. Albany was generally a distant force. His commitment to the September 1402 action can be viewed as repayment for Douglas' support in the removal of the duke of Rothesay.[6] Yet, it is not clear how Douglas' control of policy translated into direct local influence, especially in late 1401-02 The first issue is how many raids into England occurred in 1402; secondly the success of these various endeavours; and thirdly, exactly who was in charge? Wyntoun's chronicle does not directly discuss the events of 1402; the only mention is in connection with

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[4] Boardman, *'The Man who would be King'*, 17-8
[5] Boardman, *Early Stewart Kings*, 240
[6] Boardman, *Early Stewart Kings*, 246

Douglas in the following years and it assumes his leadership.[7] Bower's account relates a successful raid under Haliburton of Dirleton; a second raid under Hepburn, defeated at Nisbet; and a third raid under Douglas, defeated at Humbleton.[8] Pluscarden modifies this: the first, defeated at Nisbet Muir, led by Hepburn; the second, defeated at Humbleton, led by Douglas.[9]

All are in agreement on the events of Nisbet Muir and Humbleton Hill. At Nisbet Muir, Hepburn over-extended his host, against the advice of those with him, and was overtaken by the English response; Hepburn was slain; the three Haliburton brothers, Robert Lauder of Bass and other local Lothian knights were taken prisoner: 'the flower as it were of the fighting men of a great part of Lothian'[10]. Douglas, in a bid to avenge this raid, appealed to Albany for support and permission to take a larger force across the Border. This included Douglas and Murdoch Stewart, along with the earls of Angus, Moray and Orkney. Prior to the Humbleton Hill the Crown, controlled by Albany, had not directly participated in Border affairs in 1401-02, leaving the problem in the hands of Douglas and/or the southeast nobility. The confusion is over Douglas' role in the events prior to Humbleton Hill: was he acting in an advisory capacity or as the physical leader of the region?

It must be stressed that Douglas was already a dominating figure, having been, along with Rothesay, in command of Edinburgh castle when it was besieged by Henry IV in 1400. Yet, these raids by March were as much the continuation of the internal feud between March and Douglas as they were of the Anglo-Scottish war. Furthermore, even in reaction to Henry IV's raid, other southeastern individuals played prominent roles alongside Douglas, including Adam Forrester, who was the leading diplomat, the Haliburtons and Drummond.[11]

Bower states that in 1402 the magnates and nobles of Lothian, with the advice and support of Douglas, agreed that the leading lords of Lothian should separately conduct campaigns against England, but gives no evidence for his active

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[7] *Chron. Wyntoun*, iii, 85
[8] Bower, *Scotichronicon,* viii, 43-5
[9] *Pluscardensis* B. x ch. xviii
[10] Bower, *Scotichronicon*, viii, 45; the phrasing is reminiscent of that describing the Lothian knights of the 1330s, a period of similar independent activity, see Preston section, 181-84; Bower, *Scotichronicon*, vii, 109, 127
[11] Bower, *Scotichronicon,* viii, 35; A.L. Brown, 'The English Campaign in Scotland, 1400', 43-4; Macdonald, *Border Bloodshed*, 139

participation until after Nisbet Muir.[12] Bower's phrasing suggests that the nobles came to Douglas and not vice versa. He also states that these raids would be organized on a rotational system: one lord in turn would take responsibility for each band of horsemen while the other lords would assist him and obey him as the captain. Bower implies that these bands of horsemen mounted separate raids and were not simply different elements of a single event. The first, successful raid was captained by the Haliburtons and a second raid, Nisbet Muir, was captained by Hepburn, with the Haliburtons under the command of Hepburn.[13] This rotational and equitable division of leadership would, in and of itself, strongly suggest a social and political structure in the region that was dominated by a group of families and not by a single magnate. That the Haliburton and Hepburn families were roughly equal in status is clear. It is likely that other families were of similar status, though incontestable evidence is not extant.[14]

In Bower's account it was only after Nisbet Muir that Douglas actively participated in the conflict; additionally the chronicle makes it clear that his actions were motivated by vengeance and not by an extension of personal power in the region.[15] The traditional leader of any host on the east march was the earl of March, but obviously in this situation appealing to his authority was not possible. In hindsight it seems probable that Douglas would come to dominate the region, but it was this gap between tradition and established power which was briefly utilized by the 'men of Lothian' giving rise to the idea of the rotational leadership of raids. However, the increasing influence of Douglas combined with the undeniable fact that he had far greater resources than the combined second nobility, meant that his participation would become the only option. Douglas' involvement in 1402 offered advantages similar to those of the 1340s, when his ancestor had gained a substantial

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[12] Bower, *Scotichronicon*, viii, 43

[13] Bower, *Scotichronicon*, viii, 43-5

[14] Bower was potentially biased: as a Haddington man with a royalist view, which would necessarily play down the role of the greater magnates, he may have been both politically and personally inclined to emphasize the possible evidence for a structure which was not controlled by any single family Mapstone, 'Bower on Kingship' Bower, *Scotichronicon*, ix, 322-3,335; 'Bower as a source for his own times' in D.E.R. Watt (ed.), Bower, *Scotichronicon*, ix, (Aberdeen, 1998), 348-9; M. Brown, 'I have thus slain a tyrant:' The Dethe of the Kynge of Scotis and the right to resist in early fifteenth century Scotland', *Innes Review* 47 (1996), 28

[15] Bower, *Scotichronicon*, viii, 43-5

following in the middle march region by promising military leadership, possible economic gain and, above all, security.[16]

There is another point that may have forced Douglas involvement. The accounts agree on that the Hepburn raid failed because it was overextended and easily captured by a fresh army under March. However, the accounts are also unanimous in stating that this disaster only occurred because Hepburn went against the advice of his friends and/or counsellors. It may be that this accusation hides a rather dangerous flaw in the rotational captaincy, confusion in the chain of command: 'But as he (Hepburn) remained there too long, longer than had been decided and agreed among his advisors' March caught him.[17] The careful accounting of how Douglas raised the Humbleton army, first gaining the permission of Albany to avenge Nisbet, and then assembling an army from his 'friends and supporters South of the Forth' combined with the 'northerners' under Murdoch Stewart suggests that this was not simply another Borders skirmish but involved the entire country. Douglas' request for and Albany's grant of permission to raise an army also re-established the traditional hierarchy in the region.[18] It had never been in complete abeyance, but it was made clear that Douglas was now the controller of the region.

According to the chronicles, 1400-02 marked both the apex and the final act of what may be regarded as the horizontal and regional power structure designated in the chronicles as 'the men of Lothian'.[19] This group looked directly to the Crown and not to a regional magnate as the regional authority. Similar groups existed during the 1330s and the 1360s. The men of Lothian do not vanish from the scene nor does the region lose its distinctive characteristics and social structure. But this particular horizontal power structure, which was assuredly not the sole one in the region, was largely replaced by structures which emphasized other lines of influence. There is no revolutionary change in the political structure of the region, but a shift on the scale best described by Carpenter as a 'continuum of change' between the

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[16] Neville, 'Scottish Influences on the Medieval Laws of the Anglo-Scottish Marches', 184
[17] *Pluscardensis,* ii, 259
[18] *Pluscardensis*, ii, 259, Bower, *Scotichronicon*, viii, 45
[19] the southeast, where Lothian equals its older territorial designation and not its more recent administrative definition. See Southeast Geography, 22-24

vertical and horizontal elements of organization.[20] This shift may also be profitably described along the lines of Coss who identifies a spectrum of power between that of an independent local community and an affinity centred on the retinue of a magnate.[21]

Personal interests, the absence or death of key actors and political accident combined with the result that families named in 1402 as 'men of Lothian' were in 1415 identified as men acting under Douglas.[22] One can, with a certain degree of confidence, identify three political factions in the post 1406 era: Douglas, Albany and the Crown with this last largely subsumed in the Douglas affinity for much of the period due to the king's absence. While not a conscious decision on the part of Bower, it is not without significance that the last time the phrase 'men of Lothian' is used by him is in his description of the events of 1402 and it is very nearly the last use of the word 'Lothian' in his work. Indeed, the last time it is used is in his discussion of the events of 1406 when David Fleming tried to recruit a similar band of Lothian men.[23] The men of Lothian remain prominent in the chronicles after 1406, but their association with various political factions increasingly dominates attempts to define their position rather than a sense of geographical loyalty. It must be stressed that this argument is concerned with degrees of emphasis and that the simple fact of geographic proximity ensured that Lothian families continued to intermarry, to work and to play together.

What then was the change along this spectrum which the events of 1402, in a large part, enabled? It was, as noted, the high point of horizontal cooperation amongst the second-tier nobility in Lothian. After the disasters of Nisbet and Humbleton this level of nobility was decimated and its ability, admittedly never a declared form of organization, to function as the primary form of organization was, at least temporarily, disabled. In this case the axiom of nature abhorring a vacuum is easily applied and the other two power structures, already in existence in the region, were immediately substituted: that of the lower nobility acquiring power through the

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[20] Carpenter, *Locality and Polity,* 618: 'In weighing the horizontal against the vertical in relationships among the gentry, we are not contrasting complete noble control with complete gentry freedom, but dealing with a continuum of change.'
[21] Coss, 'Bastard Feudalism Revised', 57
[22] Bower, *Scotichronicon*, viii, 43-9; *ER*, iv, 224
[23] Bower, *Scotichronicon*, viii, 61

use of the Crown's authority and that of influence by way of major regional magnates, primarily Douglas.[24] The Crown's authority was maintained by the links between the centre and its officers and the moral authority presumed to reside in those offices; for the earl it was dependent on individuals' personal allegiances and/or on relations between kin-groups.[25] It so happens that for reasons of practicality these structures work best if they are combined with a coherent geographic area, but that condition is, in the theoretical definition, not mandatory.

The sheer number of people killed or imprisoned in 1402 makes it stand out as an unusually traumatic year; however, it can be regarded as the worst in a series of years from 1400 to 1406 when the region was continually de-stabilized by unanticipated deaths, imprisonments and changes of allegiance.[26] The most obvious of these was March's defection; the other major change in 1400 was, in the long run, of greater importance: the death of the third earl of Douglas and the succession of the fourth earl. This is one of the few instances where one may confidently argue for the importance of personal interests above any other cause. The third earl did not have any desire to expand his influence in the southeast, spending little time in the region; the fourth earl, however, was a very different case.

The involvement of the fourth earl in the region began prior to his attainment of the earldom in 1400 with the surrender of Dunbar by March's nephew, Robert Maitland, to the then Master of Douglas, who was earl by the year's end. Maitland's surrender had a mixed reception: Bower's opinion was that it was a dishonourable action: 'This man (Maitland) was overcome by extreme fear after the earl's departure in a situation where perhaps there was no reason for fear'.[27] Wyntoun also condemns Maitland's action, while portraying March in a positive fashion.[28] It was, however, the most practical and politically expedient option for Maitland to pursue; and this was recognized in the following year when Robert III granted him Tibbers,

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[24] Elias, 'The Monopoly Mechanism'
[25] Harris, 'Dimensions of Politics', 5, 7-10, 15; G.L. Harris, 'The King and his Subjects', in R. Horrox (ed.), *Fifteenth Century Attitudes* (Cambridge, 1994) 16-18; K. Stringer, 'Social and Political Communities in European History', in C. Bjorn, A. Grant & K.J. Stringer (eds.), *Nations, Nationalism and Patriotism in the European Past* (Copenhagen, 1994), 22
[26] *Anglicana*, ii, 252, Bower, *Scotichronicon*, viii, 31-3, 43-9; Mss Abergavenny, 77-8
[27] Bower, *Scotichronicon*, viii, 33
[28] *Chron. Wyntoun*, iii, 78

previously held by March.[29] That Maitland was motivated by fear, however, suggests that Douglas' ability and willingness to project his power in the region was already well known. Legally the forfeiture of the earldom of March in February 1401 meant that all of the territory ought to have been re-granted directly from the Crown; however Douglas' seizure of Dunbar predated this parliamentary action that gave it ex-post facto legitimacy. The earl's dominance permitted him to reward supporters in the region and in October 1401, while at Dunbar, he made several grants in both Berwick and Edinburgh shires of lands within the earldom.[30] It is notable that one of these grants to John Swinton of Craneschaws in Berwickshire/Haddington meant that the earl not only rewarded his supporters, but did so with sizeable amounts of land on regional access routes.[31] The Swintons had held land in Coldingham barony since at least the 1370s, but they had remained largely absent from southeastern affairs, beyond those directly pertaining to Coldingham.[32] However, on the death of the first earl of Douglas, his widow had married John Swinton and he witnessed several charters for the fourth earl from 1401.[33] Interestingly, John had an English safe conduct for June 1400 to visit the English king, which may indicate that he was fairly influential in the diplomatic manoeuvres of that period.[34] Craneschaws moved them some fourteen miles closer to the Edinburgh/Haddington area; and it involved them in land which was integrated with the regional structure, unlike the Coldingham barony which, because it belonged to the Priory of Coldingham, was an unusual and isolated territory.

The witness list for Swinton's charter in 1401 is telling: Hepburn, Lauder, Herdmanston, Bikerton and William of Crawford. These were all leading families in the southeast and their appearance with Douglas suggests internal cooperation, willingly or not, against an external threat. Both Herdmanston and Lauder had, in

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[29] Mss Buccleuch, no. 56

[30] Fraser, *Douglas,* iii, 343, 345; GD12/16

[31] This Craneschaws is presumably part of the one in the Constabulary of Haddington, sheriffdom of Edinburgh which Joanna Douglas, Countess of Douglas, granted to the fourth earl Douglas in 1401. GD12/14 There is a confusion over whether Craneschawis is in Edinburgh or Berwick sheriffdoms, with the added difficulty that it is sometimes referred to as Craneschaws in the earldom of March and the sheriffdom of Berwick; but its position suggests that it encompassed land in all of the administrative regions. M. Brown, *Black Douglases*, 102

[32] At least judged by the major source of evidence: charter witness lists. For their national and international actions in the late fourteenth century: Goodman, 'Anglo-Scottish Relations', 240-2

[33] *Swintons,* p16-8; Fraser, *Douglas*, iii, no. 344

[34] *Cal Doc,* iv, no. 549

the past decade, been closer to Angus than to Douglas, Bikerton had connections to Lindsay of Bryes, while Hepburn had cultivated ties to March and not the Douglas family. However, the raids by March and Northumberland in 1400-01 must have destroyed these links, since Hailes was a primary target.[35] Meanwhile William of Crawford would become the agent of Douglas in Edinburgh, being named as his captain for Edinburgh castle in 1404; a service which he must have accomplished satisfactorily since he later received a grant in recognition of his services whilst the earl was in England.[36]

Douglas' Dunbar grants were both a statement of acceptance for the change in power and a sign of a potential shift in the political structure's definition. The cultivation of a new political orientation was supported in May 1402 when Douglas was in Edinburgh: this time a grant to John Edmonstone for his service, but of lands in Perth controlled by Douglas.[37] Edmonstone had been present in the region, but his explicit service to the earl was more recent.[38] The grant's phrasing, its mention of 'his faithful service', suggests an active relationship was expected at that time. This supposition is supported by the fact that Edmonstone was amongst those captured at Humbleton Hill the same year; it is probable that he was in the Douglas contingent and not the less well defined 'national' group gathered by Albany. The 1403 grant by Douglas to Edmonstone of lands in the regality of Strathearn conclusively indicates a Douglas-Edmonstone connection in these years.[39] The 1402 grant was witnessed by Swinton, William Stewart, Borthwick, and Hay of Lochorwart among others. Swinton and Stewart were from outside Lothian; both Borthwick and Hay were, and would continue to be, staunch supporters of the earl.[40] The 1403 grant expands those known to be involved with the earl: Borthwick, Hay, Herdmanston and Crawford are joined by John Seton, Walter Haliburton[41] and William Cranston;

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[35] Fraser, *Haddington,* no. 284; Bower, *Scotichronicon*, viii, 33
[36] *ER,* iii,; Fraser, *Douglas,* iii, 356
[37] Fraser, *Douglas,* iii, no. 346
[38] See section on the Edmonstones, 265
[39] Again, note that the grant is held from Douglas in a region outside of the traditional regions of influence. GD15/333
[40] Stewart may be of either Jedburgh or Teviotdale; but he was not actively involved in Lothian affairs.
[41] This may be Walter Haliburton the son and not Sir Walter Haliburton as one would have otherwise expected him to be listed as a knight. See Haliburton section, 218-219

all men who were prominent in the Haddington constabulary.[42] Significantly, these charters include representatives from a broad geographic spread encompassing the southeast.

When considering the grants in the earldom of March by Douglas, it is crucial to recognize that it seems that there was some degree of uncertainty in later years over the legitimacy of these grants. In 1425 March confirmed the 1401 grant by Douglas to Swinton and further recognized the legal right of Swinton's son to the lands which were now, once again, held from March.[43] This is also true of other grants: in 1413 Douglas granted David of Hume the lands of Wedderburn in the earldom of March, for his service to the said earl; a second grant was made by March, confirming the grant by 'his beloved brother the earl of Douglas' and promising the admittance of Hume to the ranks of his tenants in the above lands upon the death of the earl of Douglas.[44] Hume's position and allegiance as laid out in these charters seems to have been an uneasy compromise between the claims of personal loyalty to an individual, the fourth earl of Douglas, and the position of the land as a heritable unit in the earldom of March. Theoretically, this Douglas enclave in the earldom was limited to the fourth earl's life. These two grants give valuable insight into the complicated nature of the March earldom in this era and the problem of reconciling the accepted reality of a region and populace whose current allegiance was to Douglas but whose traditional lord, whose hereditary claim had been legally re-instated, was once more a member of the political structure from which he had been forcibly ejected. In these cases Douglas' writ was upheld, but the existence of these later charters suggests that this was not an inevitable conclusion.

Douglas was also being deliberately courted in 1400-02. A grant made at Bothwell illustrates this: as expected the witness list was composed primarily of Douglas men, including Fleming, Swinton and Herring, but also Edmonstone and Herdmanston. The latter two families had not previously witnessed charters outside

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[42] Also included: William Abernethy, connected to the earls of Angus; John of Lauder, presumably from the Lauder regality and/or family; and Robert Hoppringil, a family associated with the Douglases. Grant, 'Acts of Lordship', 246; GD1/402/1-3; GD124/7/2; GD157/372; Fraser, *Douglas*, iii, no.46, 49; Fraser, *Haddington*, no. 284; *ER*, iv, 75-6

[43] GD12/20; GD12/23

[44] Mss Milne-Home no. 1, 4

of the southeast.[45] The Lincludan witness list included the earl of Orkney, an individual and family not known for appearances outside of their territories.[46] This appearance by Orkney, shortly after his father's death the preceding year, represented a significant change in direction for the family, foreshadowing the much closer involvement in Lothian and Scottish affairs and, eventually, a close relationship with the Douglas family, though only after the events of 1404-06. The appearance of these individuals in the southwest, a marked change from the standard behaviour, indicates the importance of Douglas' favour. 1400-02 also saw the re-affirmation of loyalty by a new generation: for example, the re-grant of the lands of Carfra and Herdmanston in the Lauder regality to Herdmanston, reassuring both the new earl and the new Herdmanston lord, William, that the families' relationship remained solid.[47] It was also a period in which men such as Maitland or Hepburn seized the politically opportune avenue of transferring their allegiance and when relatively quiet families such as Edmonstone were able to raise their profile with the new dominant authority and explore new sources of revenue.

The intrusion of the fourth earl of Douglas into the southeast was not confined to cultivating new additions to his affinity. In 1401 he was named as the custodian of Edinburgh castle, which meant that along with his renewed relationships with the Herdmanstons, the primary supporters of Angus, and the Haliburtons, he directly controlled the two major castles, Edinburgh and Dunbar, and had close connections in two more, Tantallon and Dirleton.[48] The custodianship of Edinburgh was a major coup, as a royal stronghold it meant his actions were condoned, at least by Albany, giving his actions throughout the region a stamp of legitimacy. Additionally, its affiliation with the burgh was convenient for his involvement with leading members of the community in business ventures.[49]

The moral authority of the earl had been strengthened by the events of 1401. March and Northumberland's heir, Hotspur, led a raid on Lothian in February 1401

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[45]Fleming of Biggar cannot be considered a member of the Douglas family's immediate affinity, nonetheless they did occasionally appear in the Douglas records while at the same time they were (until this period) entirely absent from Lothian.
Fraser, *Douglas,* iii, no. 342
[46] *Fraser, Carlaverock,* 417
[47]*Yester Writs,* no. 56
[48] *ER,* iii, 515. The Herdmanston family is active as agents on behalf of Angus in the region in 1400: Fraser, *Douglas,* iii, no. 50.
[49] *Cal. Docs.*, iv, no. 743, 764-5

in which East Linton, Hailes, Traprain, Markle and Preston were all burnt. Douglas, operating out of Edinburgh retaliated, before going on to make a truce with Northumberland.[50] The raid under March and Northumberland saw an unusual degree of success in actually destroying property relatively far north in the region; it probably also contained a higher level of personal animosity than usual. That Hailes, the caput of the Hepburns, was burned twice suggests a personal grudge; as does the immediate reason for March's raid being the surrender of Dunbar by Maitland, suggestive of a local, personal grudge which was combined with larger national issues and the long-running marriage dispute.[51] March and Northumberland's success in getting as far north as Traprain suggests that some portion of the population remained neutral or continued to support March.[52] However, the fact that the retaliatory raid was by Douglas would have bolstered his claim as the effective authority in the region, while the destructive nature of March's raid would have reduced sympathy.[53] As 1402 would demonstrate, Douglas was not able to operate in the region without the support, and perhaps the impetus for action, coming from the regional nobility. He was, however, the most active and direct source of lordship in the area.

Douglas' enhanced regional position was not dependent on the total removal of the king from the political scene; what the Crown's weakness did prevent was the continued rise of men such as Orkney along alternate, if not rival, routes of power to replace those killed in 1402. During 1404-6 the activity of Robert III created a nucleus, centred on the new heir to the throne, which, as a source of patronage and offices could be utilized by men, such as Orkney and Fleming, to gain influence in the region without being subordinated to Douglas interests.[54] This was particularly evident after 1404 when Douglas was in England. Balveny, the March warden, and Crawford were able representatives of the Douglas network, while Fleming, in his royal appointment as sheriff in Roxburgh, Orkney and Forrester represented the royal

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[50] Bower, *Scotichronicon*, viii, 33; Boardman, *Early Stewart Kings*, 237-8
[51] Bower, *Scotichronicon*, viii, 33. *Pluscardensis,* ii, 256
[52] Macdonald, *Border Bloodshed*, 226
[53] Some men within the earldom may have remained loyal, as evidenced by the ambush set for Hepburn in 1402 at Nisbet Muir. Bower, *Scotichronicon*, viii, 43-5
[54] *Chron. Wyntoun*, 94-5; *Anglicana,* ii, 271-3

coalition.[55] It would be taking the theory of rival factions too far to say that in 1404-06 Linlithgow and Edinburgh were in opposition, but certainly the establishment of the court at Linlithgow permitted alternatives to be explored.[56] Yet, the 'what if' scenario must be considered: had the February 1406 disaster not occurred an alternate group around a revitalized Crown might have been a challenge to the growth of Douglas power, which in the 1402-08 period was based on delegation and the usage of a network established in 1400-02.

During 1400-06 Douglas controlled the earldom of March; but Robert III made several grants of land in the earldom, emphasizing that the land was now held directly from the Crown. Some of these, such as the one to John of Letham[57] or Adam Gordon, were likely re-grants of existing territory, but additionally would have re-affirmed the new hierarchy and reciprocal duties. The grants to the Gordons by Robert III, to Adam Gordon of Gordon and Fogo and to John Gordon of Strathbogie barony, were significant in this process: the Gordon family had been the lieutenants for the earl of March in the 1370s and 1380s.[58] These grants to the Gordons can, along with a grant to Maitland and other royal confirmations, be viewed as merely confirmation that the Crown's policy was effectively controlled by Albany and Douglas.[59] Yet, they were evidence of the Crown's fundamental authority: for the former tenants of March who fought against him in 1400-01, such as the Hepburns, the Maitlands and probably the Gordons, these re-grants to hold their land directly from the Crown were a form of tenurial protection which would be needed if the earl was ever restored.[60] Douglas' seizure of the earldom could not extend to preventing the Crown from directly re-granting land within it. This may have had political consequences; the Gordons were connected with the Seton family, in particular the younger son Alexander who in 1406 was apparently part of the Fleming-Orkney group backing the heir to the throne against the entrenched Douglas affinity.[61] The

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[55] See Orkney, Forrester, Haliburton and Herdmanston sections, 171-174, 220-222, 243-245, 261; Fraser, *Douglas,* iii, no. 349, 356, iv, 63-5; *Yester Writs*, no. 44; *RMS,* i, app.1, no. 156; *A.B. Ills.*, iii, 200-1; Boardman, *Early Stewart Kings,* 288-9

[56] See M. Brown, 'Fortune's Wheel', *James I*; Boardman, 'Endgame', *Early Stewart Kings*

[57] *RMS,* i, App.2 no. 1949

[58] *RMS,* i, App.2 1769, 1901

[59] Mss Buccleuch no. 56

[60] Boardman, 'The Man who would be King: The Lieutenancy and Death of David, Duke of Rothesay, 1378-1402', 17

[61] B. Seton, 'Provocation of James Douglas of Balveny', *SHR* 23 (1926), 116-18

potential presence of the Crown, as demonstrated in the Gordon grants, may have encouraged Seton's support for this royalist group. However, this legal assertion of direct Crown control was a strand of political power which was effectively submerged under the practical realities of the period, leaving aside 1404-06, but it may be seen in the long-term as an unintended but real accomplishment for the continued promotion of the Crown in the abstract as the only legitimate authority.

Other grants by Robert III in this period of renewed activity were not confirmations of existing structures, the grant to Thomas Erskine of lands in the earldom for his service for example.[62] This fits a pattern of rewards by Robert III that he distributed during this period, the renewal or granting of annuities, pensions, and lands in reciprocation of service and office-holding. In this period there were two grants to Edinburgh burgesses in connection with coinage; a grant to Thomas Hay, the constable of Scotland, of a barony; a grant to William Lindsay of Byres to hold the office of Edinburgh sheriff and constable of Haddington in life rent; a grant to Adam Forrester, royal ambassador and counsellor as well as a leading Edinburgh burgess; a grant to Walter Forrester, the king's secretary and a lifetime grant of office to the king's macer. Additionally, there were various pensions; notable amongst them are ones to Douglas of Dalkeith, Livingston and Edmonstone, as well as land grants outside of those in earldom of March, including two to the Crichtons in mid-Lothian, and remissions on castle-ward fees to both the Forresters and Orkney.[63] Robert III was clearly aware of the need to cultivate support; it was, however, extended through the offices and the finances of the Crown, rather than territory. These grants to royal officers are slightly problematic in 1400-02. It is distinctly unclear as to who was in control of the Crown patronage; particularly suspicious are those to men who were also cultivating relationships with the Douglas family at the same time, Hay, Dalkeith, Maxwell, Livingstone and Edmonstone are all in this category.[64] Less clear is the case of someone such as Lindsay of Byres; it is inconceivable that, given Robert III's weak position in this period, an individual who

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[62] *RMS*, i, App.2 no. 1906

[63] *RMS*, i, App.2 no. 1773, 1823-5, 1841, 1894, 1917, 1961; *ER*, iii, 486-7, 493, 587-8; Hay, *Sainteclaires*, 62

[64] *RMS*, i, app.2 no. 1770-3, 1841; *ER*, iii, 493. The strength of Albany and Douglas, but also the existence of opposition, is evident from the 1402 parliament that justified the death of Rothesay. M. Brown, 'I have thus slain a tyrant', *Innes Review* 47 (1996), 24-44 at p. 42

was not willing to work with the Douglas affinity would be appointed to an office as central as that of the sheriff of Edinburgh.[65] Yet, Lindsay's own regional position and his previous support for Angus against Dalkeith in the 1390s may indicate a more complex relationship.[66] However, those to the Forresters, Orkney, Crichton and the various officers clearly stated that they were for service to the king and as such represent a core affinity within the administrative structure.

An active king presented an alternative sphere of influence as can be seen in the brief period between May 1404 and February 1406. Robert III's revived influence in regions outside of the Stewartry was particularly evident in Lothian due to his re-location to Linlithgow in these years.[67] Charter witnesses for Robert III at Linlithgow can be separated into two groups: the first are men connected to the king's personal territories; the second is a geographically diverse group, but there is a preponderance of individuals with southeastern connections. This period created an opportunity for advancement for several members of the minor nobility. Foremost in this group were, alongside the chancellor Bishop Wardlaw of St Andrews, David Fleming, Orkney and the Forresters. It also included William Giffard, Alexander Seton, Robert Erskine and possibly men such as the Douglases of Dalkeith and William Borthwick, although while the latter two appear as royal charter witnesses or members of embassies they had equally strong connections to Douglas.[68] Fleming had few pre-existing contacts of any depth within the southeast. However, the others represented a potentially formidable coalition of mid-Lothian interests. Intriguingly, Forrester, Orkney and Fleming had all been captured at Humbleton Hill and all three were quickly ransomed, Forrester by 1403 and the others by 1404.[69]

What is striking about the core members of this group is that they would re-emerge in the 1420s as supporters of the new king demonstrating a crucial element of continuity.[70] William Giffard's position is a case in point. Previously he was the marshal of Queen Annabella's household until her death in 1401. He reappeared

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[65] *RMS*, i, app.2 no. 1825
[66] For a discussion of this feud see: Boardman, *Early Stewart Kings*, 205-6
[67] For a full discussion of the political events of 1404-6 both at court and in the region see: Boardman, 'Endgame', *Early Stewart Kings*
[68] *RMS*, i, ad indicem; *ER*, iii, 567; *Cal. Patent Rolls, 1401-5*, 438, 440; *Cal. Docs.*, iv, no. 657-8, 664, 675; *A.B. Ill.*, ii, 227; GD25/1/26
[69] Mss Abergavenny; GD25/1/26; *ER*, iii, 566; *Cal. Docs.*, no. 654
[70] See Forrester, Orkney, 1406 sections, 110-114, 171-175, 243-245

with James I on Bass Rock in 1406, clear evidence that he was a close supporter of the heir and possibly meant to travel with him to France.[71] This also suggests, however, an individual for whom royal patronage, for whatever reason, remained more attractive than that of the various magnates.[72] Giffard's career as an explicitly royal servant would continue: from 1416 until 1435 he was regularly paid for his services to the king, probably in charge of the king's household, as suggested by a 1429 payment for that service when James I was absent from Edinburgh for a long period of time.[73]

A clear example of careers dependent on the Crown can be seen with the two Forresters; these were individuals whose careers, both before and after this period, were inextricably bound to the King and his lawful heir. Adam was rewarded for his service to the king both in finance and diplomacy. He held the office of custumar of Edinburgh throughout the period and in 1404 was elevated to deputy chamberlain. This would have put him into close contact with Albany; but his support of Robert III dated back to the mid 1380s.[74] Furthermore the only time this support seems to have wavered is in the late 1390s when there is some indication that he aided Rothesay.[75] At no point does his interaction with Albany suggest anything other than what would be expected between two high-level administrators. Indeed, there is some indication that his support of Robert III back in the 1380s placed him in opposition to Albany, then earl of Fife.[76] Meanwhile his elevation to deputy chamberlain coincided with a resurgence of strength on the part of Robert III and as such could indicate a check on Albany.

Alexander Seton's career is another example of the search for patronage and position in this period. The younger son of the Seton family, his provocation of James Douglas of Balveny in Edinburgh apparently was the immediate cause of Balveny's pursuit of Fleming in 1406. This episode is decidedly murky, and there is a disagreement amongst the sources as to which side Alexander was actually on. Walsingham, picked up by Balfour-Melville, argues that he sided with Balveny and

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[71] *ER*, iii, 561; *Chron. Wyntoun*, iii, 97
[72] The individual's own interests were always an important factor. Given-Wilson, *English Nobility*, 177-8
[73] *ER*, iv, 506, ad indicem
[74] *ER*, iii, 566-7, 592, ad indicem; *Cal. Docs.*, iv, no. 664
[75] *ER*, iii, 407-8
[76] See Forrester section, 169

not Fleming; while the Cupreus MS clearly states he was a supporter of Fleming; unfortunately Bower's wording is ambiguous.[77] However, in 1402 Alexander's father had granted Fleming land so an active relationship is probable.[78] Additionally, his imprisonment in England alongside James I and Orkney, with whom, according to Wyntoun, he had taken ship, indicates that he was a supporter of the heir, if not of Fleming.[79] Alexander's actions in the early 1400s suggest an individual looking for advancement beyond that offered within the region, something which may also explain the 1404 payment to him of £10 by Albany. His marriage to the Gordon heiress in 1408, which gave him lands in Berwickshire and Aberdeenshire, would position him on a career path that would eventually lead to his son's attainment of the earldom of Huntly and which would separate his line from the affairs of the main family line in the southeast, unlike a similar 'northern' family, the earls of Orkney.[80]

In the 1404-06 years the aggressive ambition of men interested in bettering their state was most marked in the actions of Fleming and Orkney. Both men attached themselves to the revitalized court of Robert III moving away from the orbit of Albany and Douglas, though both had previous involvement with Douglas. The two men shared a common interest in using royal patronage to extend their influence in the southeast. The pattern of their appearances at court reflects a difference in style and in resources. Fleming was the first to appear regularly as a witness for Robert III, more frequently than Orkney, and was closely attached to the court. He appeared as a witness not only in a single region but throughout the royal itinerary of 1404-6 including Perth, Dumbarton, Dundonald and Linlithgow.[81] Furthermore, he did so despite, unlike others following this pattern, not having any formal position at court. Orkney, in contrast, appeared as a royal witness only at Linlithgow, with the exception of one appearance at Perth in August of 1405.[82] Despite Robert III's use of Linlithgow as a power base there remained a clear difference in the composition of the court in the east, Linlithgow and Perth, and the composition in the west, Dumbarton and Dundonald and, apart from Fleming, only those with royal offices

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[77] Seton, 'Provocation of James Douglas of Balveny', 116-18
[78] RH1/2/166
[79] Bower, *Scotichronicon*, viii, 61-3; *Chron. Wyntoun*, iii, 94-7
[80] *ER*, iii, 592; *RMS*, i, no. 898, 905
[81] *Chron. Wyntoun*, iii, 94-5; Mss Mar and Kellie, i, no.7; *A.B. Ill.*, ii, 140-1, 227, 351, iii, 200-1, iv, 458-9; Fraser, *Southesk* no.57
[82] *A.B. Ill.*, iii, 200-1

appear in both.[83] The reason behind Fleming's anomalous behaviour may have been geographic. Orkney, while involved in Crown politics, operated within an established sphere of local influence and expanded into the vacuum created by 1402.[84] Fleming, by contrast, lacked this defined personal and local interest and may have hoped to attain it by exploiting the Crown's favour. However, he was, at least in the southeast, an intruder entering a regional power structure from above.[85]

The main issue with Fleming's career in the two years prior to his death in February 1406 centres on the reasons behind his death, which seems to have been motivated by issues of greater depth than the immediate aggravation of his tour of East Lothian beside the royal heir.[86] Given Fleming's lack of previous involvement in the southeast, the underlying social tensions can be discerned. Studies of the English nobility and gentry, notably the work by Saul, have suggested a frequent point of tension between downward and upward links. This resulted from the king's need to be responsive to a powerful magnate's request for an office to be granted to his retainer and the demands of the county communities. The communities looked for men with clear links to the shire rather than to a man who owed his position in a region to his dependence on a powerful magnate.[87] In the case of Fleming the hierarchy is simplified: the king and great magnate are one and the same in Robert III; but Robert III's patronage of Fleming, necessary for his revitalized control of Crown policy, was an unwelcome imposition on both Douglas and more minor members of the structure.[88]

Robert III's influence was not limited to ambitious men such as Fleming or Orkney, it extended to a firmer grasp of the finances of the region and, likely, to control of Anglo-Scottish policy.[89] In the summer of 1404, Fleming led a proposed

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[83] *RMS*, i, ad indicem; *A.B. Ill.*, ii, 227, 351, iii, 200-1, iv, 458-9; *St. A. Lib,* 416; Mss Mar and Kellie, i, no. 7; Fraser, *Southesk,* no. 57

[84] See Orkney section for his place in 1404-6, 243-247

[85] This was clearest with the barony of Cavers and the office of sheriff of Roxburgh, which the earl of Mar granted to Fleming in August 1405, which was confirmed by Robert III. Cavers was also claimed by the earl of Angus. M. Brown, *Black Douglases*, 88-9; *A.B. Ill.*, iii, 200-1

[86] *Chron. Wyntoun*, iii, 94-5; *Anglicana*, ii, 273; *ER*, iv, p.xliii; Bower, *Scotichronicon*, viii, 61-2; Seton, 'Provocation of James Douglas of Balveny', 116-18

[87] Saul, *Knights and Esquires*, 109

[88] See Haliburton and Herdmanston sections, 219-222, 260

[89] Nor was it limited to the Lothian region: in 1404 Alexander Ogilvy, sheriff of Angus, received a pension for his services to the king and his heir. *ER,* iii, 597

delegation to England to discuss ransoms.[90] Adam Forrester's service as the deputy chamberlain of the region south of the Forth was in addition to his status as a leading representative of Edinburgh and mediator between it, the countryside, and the Crown. Adam died in 1405 and his offices were immediately inherited by his son John whose career, like his father's, was orientated on serving the royal line. Robert III's personal connexions and control over the Edinburgh customs were not limited to the Forresters. Edinburgh's tronar from 1403 was John de Crawford,[91] who was also named as a clerk for Robert III in 1404.[92] The elevation of John in Robert III's service suggests he met with approval, in 1405 he was an auditor for the exchequer and was named as Keeper of the Privy Seal in the exchequer accounts.[93]

In addition to Edinburgh, Robert III's financial awareness and control probably included Haddington from 1404. From 1404 to 1422 William Cockburn was custumar of Haddington. Though relatively little is known about him; one thing does stand out, he received throughout Albany's regency an annuity for his services to James I.[94] This William was almost certainly the same William Cockburn de Scraylne who received a payment from the Haddington customs for services not only to Robert III but also to James in 1405, a clear cultivation of multi-generational loyalty.[95] Furthermore, he was known in 1406 to be with James I in London, which, like Giffard, implies a man whose loyalty was not questionable.[96] The timing of his appointment to office combined with this annuity, granted for loyalty to the royal line, suggests that he was chosen by Robert III to extend his personal control and perhaps reduce that of Albany. The finances of Scotland's leading burgh and one of the most important secondary towns were, therefore, in 1405 under the eye of men whose careers were intimately connected with service to Robert III. Additionally, while they had connections to the surrounding nobility, they were not dominated by previous commitments.

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[90] *Cal. Docs.*, iv, no. 654, 657-8
[91] The relation between William de Crawford (captain of Edinburgh), John de Crawford (Edinburgh's tronar), and Reginald de Crawford (the previous tronar) is unclear.
[92] *ER*, iii, 564, 600
[93] *ER*, iii, 613
[94] *ER*, iii, 595, *ER*, iv, ad indicem
[95] *ER*, iii, 635
[96] M. Brown, 'Regional Lordship in Northeast Scotland: the Badenoch Stewarts II', n3

In 1405-6 the conflict between Robert III and various members of the nobility over government control, previously confined mainly to manoeuvring at court and in parliament, had severe repercussions at the local levels. Tensions came to a head in February of 1406 when Carrick, Fleming and Orkney made a circuit in the southeast. Bower and Wyntoun both state that the ultimate destination had always been Bass Rock where the prince was to take a ship for France to further his education and/or protect him from his brother's fate.[97] However, common sense dictates that waiting almost a month in late winter for a passing ship on Bass Rock, rather than arranging for a ship at the perfectly suitable ports of Linlithgow-Blackness or St Andrews, where James I had previously been staying, seems unlikely. The aim of the foray was more likely an attempt to intimidate the Countess of Angus.[98] This was a fatal miscalculation for Fleming and Orkney. Their host was trapped between Tantallon, held by Angus, and Balveny, who held Edinburgh castle. Fleming was killed by Balveny, whose host included Haliburton of Dirleton and Herdmanston.[99] Orkney fled with the prince to Bass Rock, with the intention of fleeing to France. Captured by the English, James I would not return until 1424. Orkney, however, was luckier and was released almost immediately.[100]

The death of Robert III in 1406 substantially modified the political structure in the southeast. Albany's position as governor was unchallenged, but he was unable or unwilling to use that position to build any direct links within the southeast by appointing agents in the region. Albany himself had little direct influence through landholdings in the area. Control of the southeast was, therefore, left primarily to the fourth earl of Douglas.

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[97] Bower, *Scotichronicon*, viii, 61-3; *Chron. Wyntoun*, iii, 94-7
[98] Boardman, *Early Stewart Kings*, 293-5
[99] *Chron. Wyntoun*, iii, 97
[100] *Chron. Wyntoun*, iii, 97

Chronology: 1406-20

Examination of the Albany regency necessarily focuses on two things, the legitimacy of the government and the nature of the governorship. While the former point does not directly concern the southeast, the accusations of an increase in general lawlessness and a decline in the moral authority of the Crown are frequently drawn from the southeast and must be discussed. This portrayal of the period rests on several points: the relative weakness of the Crown under Robert III, high-profile incidents such as Harlaw, piracy based out of Aberdeen backed by the earl of Mar, several years of expropriations from the customs of Edinburgh, North Berwick and Linlithgow, Albany's lack of action on ransoming James I, and the later approach of James I towards the Albany Stewarts and his style of government.[1] This negative impression is absent from the depictions of Albany by the near-contemporary chroniclers. Bower's summation of Albany's governorship is delightfully ambiguous: 'If it happened that some outrages were committed by powerful men in the kingdom, he patiently hid his feelings for the time being.'[2] Wyntoun takes an unabashedly positive view stating that Albany was the very image of a king.[3] This, to modern eyes, odd lack of criticism of Albany may in part be due the difference in viewpoint between modern historians who are conditioned to consider the strong central state, such as that attempted under James I, to be the most appropriate form of government and the view of medieval writers to whom Albany's decentralized rule, regardless of the depredations of the Crown's finance, might be more comfortable. Albany's government was a logical extension of the patterns developed under Robert II and Robert III; the shift in style occurred under James I.

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[1] This negative view is the older version: Balfour-Melville, *James I*, (London, 1936) 83; Nicholson, *Later Middle Ages,* 229-260 for an overview of the period; *ER*, iv, introduction notes the general disorder of the period. A more balanced discussion of the period's political narrative is in: M. Brown, 'Fortune's Wheel', *James I*; M. Brown,'Archibald Fourth Earl of Douglas', *Black Douglases*; M. Brown, 'Regional Lordship in northeast Scotland'; D. Ditchburn, 'The Pirate, the Policeman and the Pantomime Star: Aberdeen's Alternative Economy in the Fifteenth Century', *Northern Scotland* 12 (1992) 19-33; W.C. Dickinson, 'Robert, Duke of Albany, Governor of Scotland.' *SHR* 32 (1953), 199-200; Grant, 'Acts of Lordship'

[2] Bower, *Scotichronicon,* viii, 37; M. Brown, 'I have thus slain a tyrant', 42
Nicholson argues for the deliberate suppression, not simply ambiguous commentary, of the irregularities of Albany's governorship by both Albany and the chroniclers, something that Bower's summation does seem to suggest. Nicholson, *Later Middle Ages,* 253

[3] *Chron. Wyntoun*, iii, 100

Albany's actions are not seen as those of a neutral administrator supporting policy that would benefit the king and the kingdom, but instead as policy that would benefit Albany and the kingdom rather than James I.[4] Albany attained the governorship after only a brief debate in 1406; his position of governor was essentially an extension of his former lieutenancy.[5] When considering Albany's governorship from 1406 to 1420 certain things must be kept in mind. The first is that, whether for good or ill, the period was one of weak central authority, which tends to be characterized by the local appropriation of offices and lands.[6] Secondly, though Albany was nominally the sole governor of the kingdom he did not have the ability to assert sole control and the pattern of rule he had already developed was based on cooperation. The dynamics of Albany's delegated government were different from those in the reign of James I where a defined central court, which was not tied to a single region, was operating and where there was a deliberate policy designed to differentiate between the king and nobles. The fundamental limitations and inherent uncertainty of his authority cast a permanent shadow on Albany's government. Nicholson observed that things might have been different had Albany actually been king.[7] In the southeast his forced accommodation with the earl of Douglas is of particular interest. The two men came to an agreement in 1409 at

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[4] Nicholson argues that Albany wanted to be king. Nicholson, *Later Middle Ages*, 256. However, this view has since been largely discredited. See Wormald, *Lords and Men*, 39-41
Brown in his discussion in the first chapter of his monograph on James I discusses the growth of Albany's power. M. Brown, 'Fortune's Wheel', *James I*
MacDougall sums up Albany's position well in regards to his policy towards England: 'It has been suggested that Albany, in pursuing a strong anti-English foreign policy, was deliberately condemning his sovereign to further long years of English captivity in order to further his ambition to acquire the Scottish Crown for himself or his heirs. While it is true that his son Murdoch succeeded Albany as governor in 1420, and while Albany himself must have been very conscious of his closeness to the crown, there was no way in which he could dictate events. Release of the king, after all, required not simply Scottish negotiations on his behalf, but an English willingness to let him go. In the tense European diplomatic situation of 1418, there was no likelihood that Henry V would risk returning their king to the Scots. So Albany committed himself to a robust foreign policy: with the consent of the Scottish estates, he authorised the sending to France of an army which would be commanded by his second son John Stewart, earl of Buchan, Chamberlain of Scotland.' N. Macdougall, *An Antidote to the English: the Auld Alliance* (East Linton, 2001), 60

[5] M. Brown, *James I*, 18; nevertheless, that the Aberdeen burgh court in 1406 was held in Albany's name and not James I's, the Perth general council of 1406 gave Albany unusually strong powers, and that the Exchequer rubrics are noted as, 'gubernaciones nostres' instead of regnal years, indicates just how fine the line was. Dickinson, 'Robert, Duke of Albany', 199. However, this need not have been sinister; it was probably a reflection of the fact that James I had not been crowned. Grant, *Independence and Nationhood*, 184-5

[6] Teschke, 'Geopolitical Relations in the European Middle Ages', 344

[7] Nicholson, *Later Middle Ages*, 256

Inverkeithing that essentially placed Douglas in control of the region south of the Forth, including all three march wardenships. Yet, Douglas' control in the south, which in Murdoch Stewart's governancy of 1420-24, was greater than the governor's and critical to James I's return, was itself a series of accommodations. Douglas was forced to accept the return of the earl of March in 1409. By 1420 Douglas was increasingly challenged by the earls of March and Angus, and had difficulty controlling those ostensibly in his own affinity, most notably his deputy, Crawford, who held Edinburgh castle against him.[8] That the political structure was dominated, more so than usual, by concessions and agreements needs to be kept in mind when considering some of the period's problems.

The apparent rise in illegal behaviour under Albany is traditionally seen in the framework of the 'over-mighty magnate' theory, which presupposes a negative view of the magnates, that they were actively interested in reducing, if not destroying, Crown authority.[9] But as has been recently pointed out this sort of illegal behaviour was part of more widespread European patterns of economic recession and international tension.[10] This is evident, for example, in the rise of piracy operating out of Aberdeen. The argument put forth by Ditchburn in his studies of this piracy is that while specific personal and political interests coloured the exact form this piracy took, such as attacks concentrated largely on Dutch shipping, the underlying reason for piracy was more directly related to the economic depression that Scotland experienced between the 1390s and the 1420s. The first decade of the 1400s witnessed acute financial and mercantile anxiety across the North Sea trade region. The Scottish government, Albany, permitted this illegal behaviour because keeping the instigator, the earl of Mar, in his position in the north was more important to Albany than appeasing the Dutch shippers on which he preyed.[11] The structure of government after 1406 allowed this piracy to flourish, in the same manner that it

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[8] M. Brown, *James I*, 26-7

[9] See: M. Brown, 'Scotland Tamed?' and J. Wormald, 'Taming the Magnates?', in K.J. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985); for an overview of this debate.

[10] D. Ditchburn, 'Piracy in Late Medieval Scotland', in T.C. Smout (ed.), *Scotland and the Sea*, (Edinburgh, 1992), 37-9, 44-6

[11] Ditchburn, 'The Pirate, the Policeman, and the Pantomine Star', 24-29; the international dimension should not be ignored, for the critical role Flanders could play in Scottish policy, see: Ditchburn, 'Piracy' and A. Stevenson, 'The Flemish Dimension of the Auld Alliance', in G.G. Simpson (ed.), *Scotland and the Low Countries* (East Linton, 1996). Stevenson gives an overview of the entire medieval period.

allowed uplifting of the Edinburgh customs to occur; but arguably underlying issues accelerated the problem.[12] This argument is strengthened when one considers the similarities between Robert Davidson, a leading burgess of Aberdeen who, until his death in 1411, was Mar's co-conspirator in piracy; Adam Forrester, a leading burgess of Edinburgh; the actions of the younger William Borthwick, and the Lauders of North Berwick. These men, as merchants or with trading interests, would have been acutely affected by the economic downturn of these years; all aggressively pursued methods of increasing their wealth during these years: Davidson turned to piracy, Forrester took advantage of the Great Schism to seize land belonging to an English monastic order, Borthwick shipped his goods uncustomed and forced a Flemish merchant to pay the custom to him and not the Crown, and the Lauders, though they were the customs officials, participated in and aided the shipment of uncustomed wool from North Berwick.[13] Yet, if one considers the entire careers of the Lauders and Forresters, their illegal behaviour was confined almost entirely to the first two decades of the fifteenth century, and they both served and would continue to serve as judicial and administrative officers for the Crown.[14] One must either assume that they were always corrupt and by happenstance the only record of their corruption dates from this period or one must consider what unusual circumstances existed at that point in time.

Ditchburn comments, in his argument linking the decline in customs receipts to factors other than solely fraud, that:

> Fraud might account for the sharper decline in exports at Aberdeen compared with the more southerly ports. The extent of any possible fraud is, however, incalculable. Nevertheless, it seems unlikely that the government was unfortunate enough to have appointed dishonest officials at all of its major ports.[15]

One must therefore, while admitting the existence of fraud in the period, consider not only the governmental, societal and economic reasons that made it

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[12] Wormald, *Lords and Men*, 41

[13] *Cal. Docs.*, iv, no. 651, 718; *ER,* iv, 144, 251; for Davidson: Ditchburn, 'The Pirate, the Policeman and the Pantomine Star' and 'Piracy' 39-40

[14] Robert Lauder of Bass would serve as sheriff of Edinburgh and then as justiciar, he was also the captain of Edinburgh castle 1426-31: *ER,* iv, 310, 379, 410-541; RMS, ii, no. 13, 20; meanwhile the Lauders (Robert and George) who were custumars of North Berwick held their positions from 1407 to 1426 when George then moved to Edinburgh to serve as the custumar of woollen cloth, *ER,* iv, 50, 251, 412, ad indicem

[15] Ditchburn, 'The Pirate, the Policeman and the Pantomine Star', 25

possible, but also the reasons that abruptly made such behaviour attractive to individuals, who in many cases, did not, as it were, follow a 'life of crime' in either previous or succeeding years.

The application of the economic argument in Lothian is more difficult since an extraordinary individual partnership such as that of Mar and Davidson, nobility and burgess, is not a feature of the Edinburgh-Lothian structure. However, at the most basic level the predations led by Douglas were permitted by the same reasoning that allowed Mar's piracy: they were the necessary price Albany paid to maintain some semblance of control.[16] The uplifting of the customs receipts, which occurred primarily in 1412-1418, was generally done by those nobles who claimed the right of pensions from the customs and who seized them despite the opposition of the officials.[17] Two basic ways of explaining these actions exist: the noble-Crown conflict and a noble-merchant conflict. The latter conflict might be present in the records which list southeastern nobles as those appropriating the customs and participating in illegal trade. This list includes few merchants and such activities did lead to outright conflict between the custumars and the offenders several times.[18] However, Ewan argues that the dichotomy between the town and country, so prevalent in Flanders or Germany, was absent from the Scottish community. The lack of tension is indicated by the ongoing relationship between the southeastern nobility and mostly Edinburgh based burgesses, such as the Forresters, Rollos, Currours, Parkles, Prestons and Logans.[19] The close financial relationship between nobles and merchants is suggested by safe conducts, such as that of 1410 for Douglas of Strathbock's ship and two Edinburgh merchants, and the outstanding debts of £40 between Alexander Home and various Edinburgh burgesses.[20] Furthermore, the immediate picture, created by the most blatantly illegal activities and suggesting a negative relationship, is by no means complete; and a more nuanced description of the nature of relationships between the nobility, the burgesses and the Crown officials suggests far more positive collusion than is at first obvious. While in some

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[16] Ditchburn, 'The Pirate, the Policeman and the Pantomine Star', 28; for the Mar-Albany relationship see also: M. Brown, 'Regional Lordship', 35-7

[17] *ER*, iv, 144, 193, 203, 216, 224, 246, 251, 253, 278, 296, 301, 320

[18] *ER*, iv, 144, 203, 224, 251, 253, 278, 301, 320; Dennison, *Historic Linlithgow*, 15

[19] Ewan, The Burgesses of Fourteenth Century Scotland, 306, 310
See section on burgess-noble connections, 145-149, 155-159

[20] *Cal. Docs.*, iv, no. 794; Mss Home, no. 1

instances outright violence occurred, such as between the Haliburtons of Dirleton and the custumars of Linlithgow, the record also attests to custumars and merchants aiding the uplifting of customs revenue and participating in smuggling. At North Berwick, for instance, this involved the Lauders and Borthwicks.[21]

Noble-Crown conflict, however, is a more likely underlying reason for the illegal behaviour. While the extent of this conflict remains controversial, there is no question that the nobility was aggressively upwardly mobile, especially in eras with an absent or minor king.[22] This drift away from authority sanctioned by the Crown to local (Douglas) authority is evident throughout the administrative structure: in 1407 the sheriff of Peebles, William Hay of Lochorwart, the earl's 'well beloved kinsman,' was confirmed in his power by the earl and likely appointed by him as well; he filled the vacancy left by the Fleming family which had held the office by Crown appointment.[23] The clearest example, and one rife with symbolic connotations, was Douglas' control of Edinburgh castle, which was first acknowledged in 1401 when he was named as its custodian.[24] In the last years of Robert III's reign Douglas emerged as the leading authority in the southeast and Albany made no move to change the situation. The inherent instability of the structure, however, is also illustrated by Edinburgh castle; in 1409 William Crawford was paid by Douglas for keeping the castle while the earl was in England.[25] Yet, Douglas was vulnerable; his power in Edinburgh could be, and was, seriously challenged from below: in 1416 Crawford held the castle against the earl who only regained it in 1418 after prolonged negotiation. It has been suggested that this siege resulted from the earl's use of the castle as his primary residence, as such Crawford's action carried great symbolic weight.[26] This system of assumed rights was fundamentally flawed; Douglas' creeping takeover of Edinburgh permitted others to attempt similar actions against him in turn.[27]

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[21] *ER,* iv, 251, 301, 320
[22] See M. Brown, 'Scotland Tamed'
[23] *Yester Writs* no. 44; Fraser, *Douglas,* iii, no. 349.
Hay held the office until his death circa 1420: *Yester Writs* no. 53
[24] M. Brown, *Black Douglases,* 101; *ER,* iii, 515
[25] Fraser, *Douglas*, iii, no. 356; *ER,* iv, 321-2
[26] Bower, *Scotichronicon,* viii, 87; M. Brown, *Black Douglases,* 116-7
[27] The Crawford family may have had a large network at this time: the accounts for Lanark in 1409-10 were given by John Crawford, in 1412-25 by William Crawford who was also the baillie of Linlithgow. *Lanark Recs.,* 377

Following the Inverkeithing bond with Albany in June 1409, in which the two agreed to a pact of mutual counsel and aid, Douglas essentially assumed the responsibility of the government in the south.[28] However, Douglas could not legitimately draw his payment from the Crown revenue, unlike Albany who repeatedly received payments in this period.[29] It is possible that uplifting from the customs was seen as payment, at least by those taking it. However, this justification is weak; and the primary factor was probably the tendency of local authority to seize control whenever the centre was weak. Though the motives remain obscure, these episodes illustrate the practical authority of Douglas in the region between circa 1412 and 1424. The 1415 entry for the Exchequer states that in that year the Edinburgh customs was plundered by men ('ministri') under Douglas' command: Haliburton (ostensibly for the duchess' annuity), Orkney, James Douglas, Borthwick, Douglas of Drumlanrig, John Herte and Robert Bretoun.[30] The line between men under Douglas' command and individuals associated with and acting in concert with him is very fine; but it is likely that both Haliburton and Orkney should be assigned to the latter category on the basis of their own independent actions in this period.[31] However it is apparent that much of the activity, at least in 1415, was directly coordinated by Douglas.

Only Haddington's customs do not seem to have suffered in this period; and it is noteworthy that the custumars there were regularly rewarded in the Exchequer for their services to James I.[32] Edinburgh was the primary focus for Douglas, although other independent actions occurred, such as the incident in which William Borthwick the younger, who was also acting for Douglas during this period, and John Sinclair seized the goods of a Fleming merchant.[33] Linlithgow was primarily the focus of Haliburton who repeatedly strong-armed the custumars, once imprisoning them. It is in North Berwick, however, where illegal activity occurred on a regular basis in this period. Uncustomed wool was allegedly shipped out of North Berwick throughout this period, aided and abetted by the custumars themselves, who came

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[28] Fraser, *Douglas*, iii, no. 300
[29] A.L. Murray, 'The Comptroller', *SHR* 52 (1973), 1-29 at p. 1-2
[30] *ER*, iv, 224
[31] See Haliburton and Orkney sections, 222-230, 244-248
[32] *ER*, iv, 125, 177, 198, 249
[33] *ER*, iv, 144, 224, 251, 253, 278

from the Borthwick and Lauder families.[34] In 1418 twenty-three individuals were engaged in this North Berwick racket.[35]

There is a danger in focusing too much attention on the illegal activities; equally remarkable in this period, and of greater import for the population as a whole, was the return of political stability to the region.[36] Arguably, little more than a decade after the events of 1400-02 tore the political fabric of the southeast apart, it had returned to a shape similar to that of the late fourteenth century. By 1409 the impression in the southeast was that Douglas was virtually unchallengeable. His ability to call up hostages from a substantial majority of the second rank nobility in the southeast in 1405 and 1407, his appointment of regional officers, his permanent return from England in 1408, breaking parole, and the 1409 Inverkeithing bond that essentially ceded control of the south to Douglas all support this idea.[37] Yet, this impression is not entirely correct. In October 1409 following negotiations between Albany, Douglas and March, March regained control of his earldom and Dunbar. He did not regain the lordship of Annandale. But considering the formal forfeiture of March in 1401, the damage done by his armies and Douglas' success in gaining adherents in the earldom of March, one might well have expected an outcome far less satisfactory for March.[38] Two factors seem to have forced Douglas to give way. First was Albany's rivalry with Douglas; second, was the interest some members of the southeast nobility had in returning the political structure of the region to a more balanced configuration as opposed to the monopoly of Douglas power.

Neither of the Douglases or their opponents were necessarily March's allies, but his return was beneficial for the latter as a curb on Douglas. March evidently worked with Albany after 1409; prior to 1400 he had little contact with the Albany Stewarts, which suggests that this relationship was created by the new circumstances. March appeared in the general councils of 1410 and 1411, but the genuine mark of Albany's partnership was evident from 1411.[39] March was first appointed as one of

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[34] *ER,* iv, 203, 251, 301
[35] *ER*, iv, 301
[36] If one views stability as balanced power rather than a monopoly
[37] *Cal. Docs., iv,* 706-7, 752*; Yester Writs* no. 44; Fraser, *Douglas*, iii, no. 52, 54, 300, 349, 352-3
[38] Boardman, 'The Man who would be King', 17; M. Brown, *James I,* 27; Fraser, *Douglas,* iii, no. 300
[39] *RMS*, i, no. 931, 934; *A.B. Ill.*, iii, 95; This was limited to the earls of March and did not include the other branches of the Dunbar family: Albany did not support the Dunbars in the earldom of Moray, as he needed the earl of Mar's support in that area more: M. Brown, 'Regional Lordship', 37

the commissioners to discuss Anglo-Scottish relations alongside the bishops of St Andrews and Glasgow, Douglas, Douglas of Drumlanrig, Hay, Graham, Borthwick, and Masters Mertoun and Carnis. This group of men was predominantly composed of individuals associated with Douglas, in interest and geography, aside from the bishops, Graham and the earl of March.[40] That March was acting as Albany's representative is clear from a safe conduct issued only a few months later in which his eldest son and heir, along with a cleric, was named as the negotiator for the release of Murdoch Stewart.[41] Other than March, Albany had few immediate connections with the southeast nobility. There is some suggestion that he may have turned to rather distant kinship ties. Several times individuals, such as Haliburton, Edmonstone and Sandilands of Calder, are noted as being related to him (as cousins or nephews).[42] But there is no indication that these claims of kinship, which for such a large family were not that unusual, were ever turned into a more concrete form of influence. That Albany's ultimate authority was recognized is shown by the existence of confirmations for charters dealing with business within the region. But even in Edinburgh the individuals around Albany were usually members of the Stewart affinity and were not regionally representative.[43] In fact Albany rarely appeared in Edinburgh. Most of his visits occurred in the years of intensive negotiation between 1409 and 1412. The majority of his charters, along with the meetings of the General Council, were held at Perth, Stirling, Falkland or Doune.[44]

While March was able to return to his lands and to develop a useful alliance with Albany, it would not do to overstate the level of influence he regained. In addition to Annandale, Douglas kept several key estates. The most important area was the barony of Coldingham, of which Douglas was formally appointed as governor and baillie by the assent of both Durham and the priory of Coldingham in 1414, though he had had control through the Home family since 1406 at the latest.[45] This was a serious blow to March's long-standing cross-border links with Durham, since his family had been closely involved in Coldingham's affairs for centuries,

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[40] *Cal. Docs.*, iv, no. 804-5
[41] *Cal. Docs.*, iv, no. 813
[42] One David Edmonstone is noted as the nephew of Albany; he received a payment from the Haddington customs in 1413. *ER*, iv, 178; *RMS*, i, no. 919
[43] *A.B.Ill.*, ii, 314, iii, 95 *RMS*, i, no. 915, 918, 921, 931, 934
[44] *RMS*, i, ad indicem; *A.B. Ill*, ii, 314, iii, 95; Fraser, *Haddington*, no. 286
[45] Fraser, *Douglas*, iii, no. 298; *Cold. Corr.*, 86-7

especially with regard to the appointment of the priors, and maintained an intimate relationship with Durham.[46] An acknowledgement by March of the changed circumstances is recorded in a letter of 1417 to the countess of Westmoreland:

> als lange as thay do that thay sal hafe the possessions still, the quhilk was gif'n thayme throw myn elders and me. And touchyning the remanand I will do my gude wurd as fall to me to doo for thaym. Never the lesse, me think, thay shuld wryt and pray the Earl of Douglas, the quhilk is thayr bailie, to help thaym, er to me, for thay grauntit hyme thair balery again my will.[47]

Further evidence for March's circumscribed position is found in a set of charters for the Home family. In 1413 Douglas granted David Home of Wedderburn land in the earldom of March and Berwickshire for his service; this grant was followed by a confirmation by the earl of March, which promised that on the death of the then earl of Douglas, Home's homage, as it pertained to those lands, would be transferred to the earl of March.[48] These charters suggest that the territorial integrity of the earldom remained compromised by Douglas. Another tense accommodation can be seen with the Swinton family. From 1401 the Swintons held Craneschaws, strategically important land between Edinburghshire and the March earldom which extended Douglas control east from Lauderdale, from the earl of Douglas. Additionally, since the 1370s they had held lands in Berwickshire, some of which had been originally attached to Coldingham, and were, therefore, well placed to support Douglas in that barony.[49] In 1424 March was forced to recognize John Swinton's claim to Craneschaws, contested despite Douglas' infeftment of John in 1412 following the death of his father. Swinton's relationship with March in 1424 is made problematic by the fact that he was married to March's daughter; yet, it is probable that his personal loyalty lay with Douglas as he went to France along with the earl.[50] Swinton died at Vernuil and his estates were once more contested, chiefly with the prior of Coldingham. March's support for Swinton's son in 1428, when he took control of his lands, suggests that while the reconciliation and acceptance of men connected to the fourth earl of Douglas had been forced upon March by

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[46] Boardman, 'Late Medieval Scotland and the Matter of Britain', 64n52, 53; A.L. Brown, 'The Priory of Coldingham'
[47] *Cold. Corr.*, 88-90
[48] Mss Milne-Home, no. 1, 4
[49] *Swintons,* no. 1; Fraser, *Douglas*, iii, no. 345
[50] *Swintons,* no. 13, 14, 15

Douglas, after Vernuil March probably worked to rebuild his network in the radically different political atmosphere of James I's reign.[51]

March's network remained weak during the fourth Douglas earl's life. A return to the earlier relationships may have existed with the Maitlands. Robert Maitland witnessed both Douglas and March charters in 1418.[52] March may also have had some connections with the Crichton family, which held land from March and had connections to Orkney, Preston and Sandilands amongst others.[53] Yet, three key families in the region, the Hepburns, Homes and Swintons, were closer to Douglas in 1409-24 than to March. Adam Hepburn of Hailes, whose lands were attacked twice by March and Percy in 1401-2 and who had led one of the 1402 raids, was a witness for several Douglas charters in this period.[54] A deeper connection to this Douglas group is suggested by Alexander Home of Dunglas, the brother of David; Alexander named Hepburn his superior lord in his will of 1423. Alexander had been Douglas' baillie in Coldingham and was a repeated charter witness for Douglas in this period.[55] The Home-Hepburn association would fall apart later in the fifteenth century, but at the time it further reduced March's effectiveness.[56] The depth of this Douglas oriented structure is suggested by repeated overlaps. For example, John Manderston, probably a minor landowner, appeared both with the Swintons and with the Homes.[57] A snapshot of probable Douglas supporters in Berwickshire is provided in a 1418 retour for the Ker family who held Samelstoun in Lauderdale from Douglas, witnessed by Maitland, Lauder, Henry Douglas, George Preston, William Cranston, Edmonstone, Fauside, James Sinclair of Herdmanston and others.[58] All of these men would continue to witness Douglas charters until his departure for France in 1423.[59]

Albany probably actively supported March's return. However, while competition for power existed, open conflict between Albany and Douglas did not

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[51] *Swintons,* no. 17, 19, 21-3
[52] Fraser, *Haddington,* no. 287; Fraser, *Maxwell Inventories,* no. 10
[53] Fraser, *Maxwell Inventories,* no. 10; GD119/463; GD78/1; GD122/1/147
[54] Bower, *Scotichronicon,* viii, 33, 43-5; Mss Carruthers p710; Fraser, *Douglas,* iii, no. 56, 367; *RMS,* ii, no. 13, 119
[55] Fraser, *Douglas,* iii, no. 298; Mss Home, no. 1; Mss Milne-Home, no. 1, 4; *RMS, ii,* no. 12
[56] Nicholson, *Later Middle Ages,* 336
[57] Mss Home, no. 1; *Swintons,* no. 15
[58] Fraser, *Haddington,* no. 287
[59] *RMS,* ii, no. 12, 13; *Wigtownshire Chrs.,* 161

occur.[60] What is clear is that the two men had largely separate networks of supporters; it is rare for their charter witnesses to overlap. The exclusive nature of their two networks is markedly different from the relationship between typical royal charters, which tend to include individuals associated with various magnates depending on the need. It also differs from the typical charters between magnates in the southeast during the late 1300s, where mutual overlap was common. The exclusivity is to be expected given the geographic delineation between Albany and Douglas. This situation, while an inherently unstable method of maintaining a kingdom for a lengthy period, does not necessarily imply outright conflict.[61] This was an accommodation between the two parties that worked during that generation. It should be noted that Douglas' interest in the return of James I dates primarily from Murdoch Stewart's governancy. Tellingly, the one uplifting of customs revenue in the southeast by the Stewarts was by Murdoch from the Linlithgow customs in 1422, an encroachment on what had been the poaching ground for Haliburton and Douglas for the last decade.[62]

It seems probable that a high point in Douglas-Albany relations was around 1412-13 when a marriage between Douglas' daughter and Albany's son, John Stewart lord of Buchan, was arranged.[63] Interestingly, this is the same period when Douglas was sufficiently comfortable in his position that he was able to dedicate his time to a journey to the Continent along with the earl of Orkney.[64] Additionally, a witness list for a 1412 charter reveals some form of accommodation with March. The charter, drawn up in Edinburgh, granted the Ogilvy family land in Forfar, and was witnessed by March, Orkney, Borthwick, Master Fauside (Douglas' clerk) and others.[65] Douglas also retained the favour of James I, who confirmed his possession

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[60] Brown suggests that open feuding may have occurred before 1409. M. Brown, *James I*, 27
[61] Elias, 'The Monopoly Mechanism'
[62] Dennison, *Historic Linlithgow*, 15
[63] *RMS*, i, no. 945-49
This purposed marriage was in the works from 1410, when an indenture for it exists. Fraser, *Douglas*, iii, no. 359
[64] *Cal. Docs.*, iv, no. 834; Bower, *Scotichronicon*, viii, 83
[65] *RMS*, ii, no. 112
The Ogilvy family was a rising power in Angus and Forfar and held the office of sheriff of Angus. *ER*, iii, 597; Fraser, *Southesk*, no. 56-7

of the barony of Cavers which had been previously granted to Sir David Fleming by the earl of Mar in 1405.[66]

The presence of Borthwick as a witness for the Albany-Douglas marriage charters and the other 1412 evidence hints at the complex structure in the southeast at this time. At first Borthwick appears to have been predominantly a Douglas individual. He was a frequent charter witness for Douglas, as well as acting as a hostage for him and participating in the exploitation of the customs revenue.[67] There was, however, room for subtle nuances in his career.[68] Borthwick was also a member of the English embassies in 1405, 1410 and 1411. The 1405 embassy is particularly interesting because he was appointed with Adam Forrester, Graham of Kincardin and Stewart of Lorne to discuss the release of Fife (Murdoch Stewart) and Douglas.[69] It is possible that Borthwick also maintained ties with both Albany and Douglas in later years. In June 1410 Albany granted land in Selkirk to Borthwick; the witnesses were the bishop of Aberdeen (then chancellor), bishop of Brechin, Douglas, John Stewart of Buchan, Grahame, Stewart lord of Lorn and Andrew Hawk. This group was dominated by men close to Albany but the presence of the bishops and the earl of Douglas implies that the charter was issued during a high-level meeting.[70] The impression that Borthwick was an influential figure is supported by his appearance at the 1409 Douglas-March meeting and his presence on diplomatic missions. Throughout the decade Borthwick consistently appears in the record when Douglas and Albany, or members of the Stewart family, are together.[71] He is one of the few Douglas men to do so, aside from the secretaries. This combined with the land grant by Albany and his presence on diplomatic missions approved by the General Council suggest that he was probably one of the individuals that helped to tie together the greater magnates. Furthermore Borthwick also appears

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[66] Fraser, *Douglas*, iii, no. 364; *A.B. Ill.*, iii, 200-1

[67] Grant's study indicates that he was, aside from actual Douglas family members, the closest individual in the fourth earl's inner circle. Grant, 'Acts of Lordship', 246. Borthwick is a hostage for Douglas in 1405: *Cal. Docs.*, iv, no. 706-7. He seizes the customs in 1415 when he is clearly listed as one of the men under Douglas: *ER*, iv, 224

[68] He is a witness for Douglas repeatedly between 1407 and 1420: Fraser, *Douglas*, iii, no. 57, 351, 353, 361, 363, 366-7; Mss Carruthers p710; Mss Milne-Home no. 1, 4; *RMS*, i, no. 950

[69] *Cal. Docs.*, iv, no. 675, 793, 804-5, 811, 833
Borthwick was not new to the business of embassies regarding the truce: he also appears in 1403 and 1404: *ER*, iii, 567, *Cal Patent Rolls 1401-5* 438, 440; *Cal. Docs.*, iv, no. 657-8, 664

[70] *RMS*, i, no. 920, 928

[71] *RMS*, i, no. 920, 945-50; Fraser, *Douglas*, iii, no. 366

alongside the somewhat more independent individuals of the southeast: he was a witness for the arrangement of the marriage between Sir William Hay's daughter and the earl of Angus in 1415.[72] Hay, interestingly, had worked with Borthwick as a commissioner of the truce on the Marches as well.[73] Lastly, Borthwick's widespread connections also included Douglas of Balveny, with whom he appears with several times in 1408, a logical connection given their shared interests in the affairs of the Borders and its law.[74] Individuals such as Borthwick were probably crucial in creating the multiple ties necessary to ensure effective control in this period.[75]

Unlike Douglas, Albany's influence in the southeast was indirect and his influence with the nobility in the region was limited. One of the channels through which Albany may have had significant influence was the church. Albany had a sister at the nunnery in Haddington who was actively contesting the election of another sister as abbess; his support for her indicates his interest in Church affairs.[76] However, a much more important position was that of the archdeacon of Lothian. Following Lauder's appointment as bishop of Glasgow in 1408 the archdeaconry was once more vacant. Richard Cornel was nominated for the benefice. Cornel had held the vicarage of Musselburgh from 1385 to 1394, along with the chaplaincy of St Magdalen Hospital in Musselburgh from 1386 to at least 1405. More important were his service first to the second wife of Robert II in the 1380s and his service to Carrick until 1394, at which date he went abroad until 1405.[77] This early service perhaps explains his connection to Albany, for whom he was a charter witness in 1407. In 1407-8 Cornel was appointed as a papal envoy for Albany, and he probably arranged for the elevation of Lauder to the Glasgow bishopric. Conflict over Cornel's appointment was immediately apparent. In 1409 claims were brought against him concerning the illegal resignation of benefices. Albany's response to the papacy concerning these claims indicates his interest in obtaining the archdeaconry for someone in his affinity: should the claims against Cornel be validated, Albany

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[72] *Yester Writs,* no. 50
[73] *Cal. Docs.*, iv, no. 804-5, 811
[74] *A.B. Ill.*, ii, p376-7; Fraser, *Douglas*, iii, no. 299, 361
[75] Multiple connections were desirable as they enabled an individual to do their job; the concept of loyalty to a sole individual is anachronistic. Treachery was unacceptable, but being forced to serve one side or allowing a relationship to atrophy was commonplace. Horrox, 'Service', 71-4
[76] *CPL-Benedict XIII,* p180
[77] Watt, *Biographical Dictionary*, 112-3

nominated his kinsman, John Devlin, to the benefice. The claims against Cornel were not upheld and he retained the archdeaconry of Lothian until his death in 1418.[78]

Considered in isolation this case is insufficient to suggest any substantial pattern. However, at the same time Albany's secretary, Andrew Hawick, was promoted to another benefice, Liston parish in St Andrews, conveniently vacated by Lauder's promotion; and elsewhere in 1407 two men said to be kinsman of Albany were provided to the vicarage of Ross and the archdeaconry of Caithness.[79] Between 1413 and 1418 secretaries, counsellors or close kinsman of Albany held, or were promoted to, the archdeaconries of St Andrews, Dunkeld, Caithness, Lothian and Teviotdale, the chancellorship of Glasgow, the rectorship of St Andrews and as canons of both Glasgow and St Andrews.[80] In comparison Douglas' petitions for benefices for his secretaries or counsellors during the same period were limited to relatively minor benefices in the Glasgow and Carlisle dioceses. The sole exception was George Borthwick, the son of William Lord Borthwick, who acquired the archdeaconry of Glasgow.[81]

Albany's attention to the Church, suggested by his correspondence with the papacy regarding the Great Schism and monastic concerns, was not out of the norm for the governor of a kingdom.[82] However, Wyntoun's comment that he hated Lollards and heretics implies that Albany may have had a greater personal interest in the affairs of the Church than was generally expected.[83] It is clear that Albany was able to take advantage of the weakness of the Avignon papacy, of which Scotland was one of the last remaining supporters, to obtain outcomes favourable to his rule.[84] The pattern suggested above may indicate that for Albany the clergy was a valuable tool to influence, or at least keep track of, the affairs of the kingdom; it did not

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[78] *CPL-Benedict XIII,* 181, 189, 201; Watt, *Biographical Dictionary,* 112-3
[79] *CPL-Benedict XIII,* 166, 169
[80] *CPL-Benedict XIII,* 283, 292, 338, 362, 375, 378-81
[81] *CPL-Benedict XIII,* 290, 354, 368
[82] *CPL-Benedict XIII,* 165; *Wigtownshire Chrs.* no. 72. It should be noted though that James I was not entirely outside of the Scottish clerical correspondence: the petition and papal bull for the foundation of St Andrews in 1413 listed James I as the Scottish authority, not Albany. A. Petrina, *The Kingis Quair of James I of Scotland* (Padova, 1997), 8
[83] *Chron. Wyntoun,* iii, 100
[84] A.D.M. Barrell, 'Papal Provisions in Scotland in the Fourteenth and early Fifteenth Century', in B.E. Crawford (ed.), *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland* (Edinburgh, 1999), 221

translate to actual power but it was not one which Douglas was equally invested in. This is particularly evident with the men that were named specifically as counsellors or secretaries of Albany in addition to his patronage of kinsmen. The latter designation has to be considered neutral in judging the network of a family as large as the Stewarts, but the former designation unmistakably indicates active channels of communication.

Alluded to earlier was the idea that alongside Albany's interest in restoring March were the various individuals who, at best, were only loosely connected with Douglas and who might not mind breaking his near-monopoly. This speculation rests on two basic points. Firstly, if the surviving records show sustained contact between an individual and multiple others of equal or higher rank, that individual cannot be solely ascribed to one affinity. Therefore, some autonomy must exist if that individual shows sustained action which is clearly independent of the greater magnate with whom he generally appears. Secondly, a monopoly of patronage and administration by a sole individual is always going to provoke attempts to develop alternatives. It must be stressed that this group of independent, or semi-independent, nobility, either as a whole or separately, could not compete with Douglas' control of the main channels of administration and patronage. However, the inherent tension between local and central control existing between Douglas and the Crown by extension must exist between Douglas and those below him. The 1416 episode in which Crawford attempted to seize control of Edinburgh castle is reminiscent of Douglas' earlier occupation of the castle, what Douglas had done to the Crown was in turn done to him.[85]

This group of ambitious individuals included the earl of Orkney, who was a close companion of Douglas, especially following his marriage in 1407 to Douglas' niece, which gave him the lordship of Nithsdale and the Herbertschire barony.[86] But Orkney also cultivated links to the earl of Mar along with a range of connections entirely unrelated to Douglas influence. The connection to Mar may have been particularly important for Orkney, as he held land in Aberdeenshire and was trading out of Aberdeen, a port controlled by Mar at this time.[87] In 1407 Orkney was with

[85] M. Brown, *Black Douglases*, 116
[86] GD350/1/948; Fraser, *Douglas,* iii, no. 351; *Cal. Docs.*, iv, no. 834
[87] *ER*, iv, 108; *A.B. Ills.*, iii, 95; M. Brown, 'Regional Lordship', 35-7

Mar on the latter's trip to England, along with Lindsay of Byres, Bikertoun, Cockburn, Cranston and Alexander of Forbes.[88] This trip brought together men who not only had links to the Stewarts, but also to James I. Most, aside from Orkney, do not appear as hostages for Douglas nor were they frequent witnesses to his charters. This implies that there was, at the least, an active, well connected and influential group in the southeast which was not following Douglas even if it was temporarily allied to Douglas.[89] Haliburton, who negotiated and provided the setting for the 1409 Douglas-March settlement, was also a member of this group. Mar's entourage indicates that the southeast's social network was not monopolized by Douglas. It is also clear that alternative channels of patronage, if minor, continued, as evidenced by William Lindsay of Byres' only notable appearance post-1407, as the recipient of an Albany land grant.[90] A charter witness list for Lindsay from *circa* 1412 gives some evidence for a group beyond that surrounding Douglas: Abernethy, John Seton, Herdmanston, Robert Lyle, Bikertoun, (all knights) Herring, Hepburn, Home, Andrew of Lindsay, William of Elfington, Cranston, Montgomery and John Clerk.[91] While Seton, Herdmanston, Hepburn, Home and Montgomery all belonged to families that can be classified, according to Grant, as belonging to Douglas' inner circle, the rest were either only loosely tied or absent from the Douglas affinity.[92] Even in the case of the inner circle, qualification must be considered, Hepburn and Home could potentially have broken away if March was successfully rehabilitated, while Seton, as discussed below, and Herdmanston both had other viable connections. This suggests a network existing beyond the single magnate and this second level of connections would have been as important for local political control. Lindsay of Byres, Bikertoun, Cranston and Cockburn, for example, can all be grouped around Haddington. Additionally, this group may have been more closely attached to James I, given the 1407 trip to England and Cranston and Cockburn's

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[88] *Chron. Wyntoun,* iii, 102-3
[89] See Orkney section, 247-249
[90] Fraser, *Haddington,* no. 286
[91] Fraser, *Haddington,* no. 285
[92] A potential objection to Grant's otherwise excellent table is that it is by families; in the case of some individuals who are junior family members this makes sense, but serious discrepancies exist that could feasibly represent internal familial divisions and/or differences of interest. For example: Sir Patrick Hepburn was a witness only once for Douglas, but is grouped with Adam Hepburn of Hailes who was a witness six times. If Patrick alone was considered he would be on the far edge of the outer circle. Grant, 'Acts of Lordship', 246-8

control of the Haddington customs.[93] Cockburn was definitely serving James I in this period, travelling to England in 1413 on James I's business.[94]

The existence of a fourth group is particularly clear in the case of a set of families: Seton, Cockburn, Herdmanston, Hay and the earl of Angus. While all of these families had ties of varying strength to Douglas, their actions during and after this period suggest that this was a loose connection existing alongside other relationships. Douglas' ability to manipulate this network due to his dominance in land-holding and in the regional administration should not obscure the fact that this network can be seen as a creation independent from Douglas, used by him but not created by him. One of the difficulties with determining the strength of this group lies in establishing what role, if any, actual kinship played in its identity. Three marriages are of interest in this period: Cockburn-Herdmanston, Seton-Gordon and Angus-Hay. The latter two also involved Haliburton, Orkney and Herdmanston; Haliburton had the wardship of the Gordon estates, while in the Angus-Hay marriage Herdmanston and Orkney provided financial backing. The Cockburn-Herdmanston marriage, contracted by 1415, linked William Cockburn, who was regularly in contact with James I, with the daughter and heiress of Walter Sinclair of Herdmanston, giving William Cockburn a claim on lands in Cessford.[95] While the daughter was from a cadet branch of the Herdmanston line it suggests that even a family whose loyalty was persistently given to magnates, either Angus or Douglas, and not to the Crown was open to the possibility of exploring ties well outside the Douglas orbit.

The marriage of the earl of Angus to a daughter of the Hay family showed a similar flexibility. At the time of its arrangement in 1409 there may have been thought that this would place the Angus family under closer Douglas control, as Hay was then an important member of the Douglas affinity.[96] However, considering the figures actually involved (the countess of Angus, historically ferociously independent, and the earl of Orkney) its value for Angus as an independent operator is apparent. Angus' relatively small network of kin in the southeast was almost

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[93] Fraser, *Haddington*, no. 284, 286; *ER*, iii, 595; iv, 76-7, 125, ad indicem; *Incholm Chrs.* 47-8
[94] *ER*, iv, 177
[95] *Incholm Chrs.*, 166; Mss Roxburgh, no. 24; *ER*, iv, 177, 198, 249
[96] M. Brown, *Black Douglases*, 116-7

entirely made-up from the Herdmanstons at this time; William's marriage to the Hays re-asserted their links to the Borthwicks and Lauders, witnesses to the actual marriage dispensation of 1415.[97] While William, earl of Angus, primarily owed his success to the favour of James I, it is clear that by the later part of Albany's government Angus' influence was beginning to spread. Angus' career as warden of the Middle March and his role in subduing the Dunbars in the 1430s, along with his control of Liddesdale, was helped by the gradual accretion of links to families traditionally working on the Borders, such as Hay who was a warden in 1410-11, and in the southeast in general.[98] The various families Angus may have been in contact with is illustrated by a 1417 transumpt drawn by Adam Hepburn of Hailes of an Angus-Herdmanston charter which was witnessed by members of the Maitland, Lauder, Cockburn and Haliburton families amongst others.[99] It should be noted that Angus' contact with Douglas, or Douglas supporters, outside of Herdmanston and Hay was relatively limited; this was something that may have made him attractive to James I as a counterweight to the preponderance of Douglas men.

A set of charters from the summer of 1409 demonstrates the existence of multiple groups which overlapped through a few key individuals. In late March, in Aberdeen, Albany's support Angus' claim on Liddesdale was probably crucial in reducing Angus' concerns about any resettlement in the southeast.[100] Then in early June, at Dirleton, a charter between two of the Haliburton brothers illustrates a critical grouping, the earls of March and Orkney, Lindsay of Byres, Herdmanston, Lauder, three Haliburtons, Bonville, Cranston and Haswell.[101] This grouping included most of the major families in the east Lothian and Haddington region, and the earl of Angus was probably represented by the Herdmanstons. March's appearance here can only have been due to an interest in securing either the support or, at least, the neutrality of these families, who were largely outside the contested earldom, in his negotiations with Douglas and Albany. On 20 June Douglas and

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[97] *Yester Writs,* no. 45, 50
Although the relationship with the Borthwicks may not have been positive, Brown suggests that following the death of the elder Hay in 1420 there was a split as the Hays backed Angus and the Borthwicks Douglas. M. Brown, *Black Douglases,* 117
[98] *ER,* iv, 115; Hay also held land from Douglas in Galloway and Wigtown; *Yester Writs,* no. 49, 52
[99] Fraser, *Douglas*, iii, no.56; *Cal. Docs.*, iv, no. 793
[100] Fraser, *Douglas*, iii, no. 54
[101] *RMS*, i, no. 934

Albany met at Inverkeithing to agree formally to their indenture.[102] Discussion over the southeast, however, was probably well under way on 7th August when Albany was at Seton in east Lothian. Here a charter by Albany for a burgess of Perth records an interesting group of witnesses: the bishop of Aberdeen (and chancellor), John Seton, Master Thomas de Grenlaw, David Berclay, John de Busby (canon of Moray) and Andrew Hawick (Albany's secretary).[103] Albany's presence at Seton is itself interesting for it would suggest an itinerary in these months designed to pay close attention to the southeast. For the most part the witnesses constitute a predictable circle around Albany, though the presence of the chancellor and the mundane business of the charter, which had nothing to do with the region, strongly suggests that it should be seen as a group were the administrative body of the Crown. John Seton, however, reappears in the record only a few days later, this time in Edinburgh as a witness for the earl of Douglas. Douglas' charter of 20 August was to William Crawford in recognition of his service in keeping Edinburgh castle while the earl was in England. The witnesses were Douglas of Balveny, Douglas of Dalkeith, Montgomery of Ardrossan, John Seton, William Murehed and Masters Alexander Carnis and Matthew Gedes (the earl's secretaries).[104] It is difficult, especially in light of the nature of this charter, to see this grouping as anything other than a meeting of some of Douglas' closest men and kin and reconfirmation both of Douglas' ability to reward loyal service and of his control of the physical components of power in the region, including Edinburgh castle. Seton's presence here, and his hosting of Albany, suggests, however, that the negotiation and diplomacy between the various groups required the active participation of the lower nobility in a fairly independent manner.

The Setons were active amongst the southeast nobility in this period, especially the two sons: John and his younger brother Alexander whose marriage into the Gordon family in 1408 would place him on the path towards the acquisition of the lordship of Huntly. John was captured in 1402; he was probably released not long afterwards as he witnessed a Douglas charter in 1403 and in 1405 he was travelling to England with Herdmanston. John was then a hostage for Douglas in

[102] Fraser, *Douglas,* iii, no. 300
[103] *RMS*, i, no. 917
[104] Fraser, *Douglas*, iii, no. 356

1407; but he was back in Scotland by 1408 when he witnessed the Angus charter detailing the 1400 transactions between Angus and the Drummond family over Liddesdale.[105] This document was concerned with Angus' fight to get title to his lands; a struggle which was only resolved with the aid of Albany.[106] The presence of Seton and Herdmanston as charter witnesses probably implies that they were key supporters in this, which would have put them at odds with the earl of Douglas. Both Setons appear with Albany in 1407 and 1408.[107] The Seton family's particular concern at this time seems to have been the arrangement of the Gordon marriage. In 1408 Albany confirmed an impignoration by William Seton, with the consent of his heir John; this had been granted by Walter Haliburton on lands in Tranent in exchange for the marriage rights of Elizabeth Gordon, heiress to the deceased Adam Gordon killed in 1402.[108] The Seton-Haliburton connection was already in evidence. John Seton along with William Hay and Walter Bikerton had been a witness to a Haliburton charter in 1407. In July 1408 Albany confirmed the regrant of Elizabeth's lands following her marriage to Alexander; the witnesses were an entirely non-Douglas coalition: the bishops of St Andrews, Dunkeld, Aberdeen (chancellor) and Moray; the earls of Atholl/Caithness, Fife, Buchan and Orkney, Grahame, Stewart of Lorne and George Lesly.[109] Alexander Seton maintained the connection to the Albany Stewarts, witnessing a charter for the earl of Buchan in 1411. However, it is likely that this was directly related to his involvement in the northern regions rather than a conscious expression of support for Stewart over Douglas. Alexander's record appearances after 1408 are predominantly concerned with the north regardless of Douglas, Stewart or other involvement, although it should be noted that his association with the earl of Mar only truly developed during the 1420s.[110] Alexander's one definite Douglas connection was to Balveny who, by 1420, was beginning to make a name for himself separate from that of the main Douglas line.[111] John maintained an active role in the southeast but his appearances

[105] GD15/333; Mss Abergavenny 77-8; *Cal. Docs.*, iv, no. 404; Fraser, *Douglas*, iii, no. 51, 52
[106] M. Brown, *Black Douglases*, 109-10
[107] *RMS*, i, no. 905, 917
[108] *RMS*, i, no. 898; Bower, *Scotichronicon*, viii, 47
[109] *RMS*, i, no. 898, 900, 905, 912
[110] Mss Earl of Aberdeen p608; Mss Kinnaird p620; *A.B. Ill.*, ii, p378-9; iii, p517, 577; M. Brown, 'Regional Lordship', 36
[111] *A.B. Ill.*, ii, p378-9, iv, p124-5

after 1409 are primarily directly connected to Douglas.[112] The Gordon marriage ultimately split the family into two distinct lines; however, in this era it was part of a web of alliances connecting the Setons to many of the major southeast families, which helps to explain Albany's appearance in 1409 at the family's home of Seton.

The second rank nobility represented a network of relationships which did not run directly through the magnates but which could have a substantial impact on affairs. The 1409 capture of Jedburgh by unnamed men from Teviotdale, like the 1378 capture of Berwick, indicates that action against the English did not have to originate at the higher levels; however, to be ultimately successful such action did have to be broadly in accordance with the interests of those in power.[113] A tantalizing hint of this connection at the lower levels is found with one Robert Hawick, the deputy of John Forrester, then deputy chamberlain; he was responsible for building works at Edinburgh castle and overseeing the demolition of Jedburgh castle in 1410.[114] This connection may imply that these Teviotdale men were connected and supported by Albany, who controlled the Exchequer. March's need to rehabilitate himself with this group and its backers may have been what prompted March's son to seize Fast Castle from the English in 1410; this action was in keeping with the family's complicated English relations, but it also was one of the few prominent and successful raids in this period. That Bower comments that the English captain was known for his 'evil' actions in the southeast suggests an element of popular approval for March's retaking of the castle.[115] The Dunbars' hold on Fast Castle may have connected them to one of the branches of the Haliburton family: in 1419 one Haliburton of Fast Castle captured Wark castle, though he was later betrayed.[116]

The 1417 'foul raid' coordinated by Albany and Douglas launched against Roxburgh and Berwick was a relative failure, due to a more effective English response; but it was an attempt to demonstrate the continuing Douglas commitment to the region's leadership.[117] In a notable contrast to developments in 1402, this raid,

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[112] Fraser, *Douglas*, iii, no. 57, 356-7; *RMS*, ii, no. 12-3, 119; *ER*, iv, 301
[113] Bower, *Scotichronicon*, viii, 73
[114] *ER*, iv, 76-7, 117
[115] Bower, *Scotichronicon*, viii, 75
[116] Bower, *Scotichronicon*, viii, 75, 113
[117] M. Brown, *Black Douglases*, 215-6; Grant, *Independence and Nationhood*, 45

and the 1415 raid on Penrith, was organized by Douglas and Albany. Bower specifically stated that: 'after things had gone wrong [in both cases] they returned home in disgrace, misled by the false behaviour of some of their men.'[118] Douglas' French expedition shortly afterwards demonstrated his ability to raise a formidable host, but the problems with the 1417 raid may suggest that there was a lack of enthusiasm amongst those whose primary reason for fighting was security and not chivalric adventure. Foremost amongst this group may have been March and Angus, both of whom were gradually redeveloping some strength.[119]

1420 marks a turning point in the southeast due to the deaths of several key individuals: Albany, March and Orkney. Others who died that year, apparently from the plague, included Hay, Douglas of Dalkeith (the elder), Abernethy, Herdmanston and Cockburn.[120] These deaths destroyed the understandings that had held the social network together for over a decade and meant the arrival of a new cohort of individuals looking for patronage and career opportunities. Douglas' control had never been absolute; even those ostensibly closest to him, such as Crawford, could break away. Additionally, an amorphous group pursued their own interests, which did not have to coincide with Douglas'. The southeast apparently saw an upsurge in local violence in 1420. One of the flashpoints was Coldingham priory, suggesting that tensions between March and Douglas were probably once more evident in that area.[121] Murdoch Stewart's attempt to seize the Linlithgow customs in 1422 also suggests that different factions and influences were forming.[122]

Douglas and Albany were the two primary loci of power and patronage in 1407-24 but it would be a mistake to neglect James I's role. There is no reason to doubt Brown's assertion that James I had little regular contact with the major figures that dominated Scottish politics at the time, except, ironically, Murdoch Stewart.[123] There is evidence for a high degree of overlap between those serving Robert III in the latter years of his reign and a number of key individuals, or their heirs, serving

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[118] Bower, *Scotichronicon*, viii, 87
[119] For the French expedition see: M. Brown, *Black Douglases*, 214-224; for the Continental situation see also Ditchburn, *Scotland and Europe*, 225-9; MacDougall, *An Antidote to the English*, 60, 71
[120] *Yester Writs,* no. 53; Bower, *Scotichronicon,* viii, 115-17
[121] Bower, *Scotichronicon*, viii, 115; M. Brown, *Black Douglases,* 117
[122] For the political situation, both national and international, in 1420-24, M. Brown, *James I*, 26-31
[123] M. Brown, *James I,* 18-19

James I in the 1420s.[124] This overlap can be broken into two parts: continuous service to the royal administration, regardless of control, and more personal service to the king. The latter service should not be seen as continuous, but rather as similar in nature to the pattern exploited by the earls of Douglas in the southeast when the network created in the 1380s was largely ignored in the 1390s and then resurrected in the following decade according to the shifting interests and needs of those involved. In the same fashion there is approximately a decade, between 1413 and 1423, when links to the king were dormant but not broken. The clearest example of this is the Sinclairs of Orkney. They were fervent supporters of Robert III and James I in 1404-6; they maintained periodic contact with James I until 1413; they then spent a number of years cultivating their Douglas connections before becoming important supporters of James I after his return.[125] Similarly, Alexander Livingston of Callandar first received an annuity from the Crown in 1405, during the Albany government. He also established links with both the Sinclairs, for whom he was their baillie in Nithsdale, and the Douglases, but on James I's return he immediately began a highly successful career centred on service to the Crown.[126] This Orkney-Livingstone relationship also brought in another valuable family, the Crichtons, who held land throughout the mid-Lothian area, but who also had connections to the Sandilands of Calder, the Prestons and the Abernethy families and would go on to serve James I.[127]

Continuous service to the administration as a form of civil service is subtly different from personal support given to the king as an individual. Naturally, because of the records it is also easier to trace. Here differentiating loyalty to the king's person and service to the Crown becomes impossibly difficult. It is well attested that there was a growing tendency for administrators to remain in their positions despite acrimonious regime changes, primarily because of the growing

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[124] This included the third earl of Orkney, James Douglas of Balveny, John Forrester, all of whom were on the privy council of 1424, GD119/167; also Cockburn: Walter Cockburn took over as the custumar of Haddington from William Cockburn (deceased) in 1422 and served until 1435, he was also baillie of Haddington. *ER,* iv, 361, 393, 608; Lauder: George Lauder was a custumar in North Berwick and Edinburgh, 1412-29, *ER,* iv, 146, 412; James Lauder had been an auditor of the exchequer in 1420, in 1425 he was clerk of the justiciary south of the Forth, *ER,* iv, 310, 379; and Sir Robert Lauder of Bass

[125] See Orkney section, 243-249

[126] *ER,* iii, 616; Mss Duke of Atholl, p706; Fraser, *Douglas,* iii, no. 60; *Paisley Reg.,* 70; GD119/167

[127] GD78/1; GD119/463

complexity and professionalization of the bureaucracy.[128] Long serving individuals such as Gilbert Greenlaw, bishop of Aberdeen and chancellor from 1397-1421, and bishop Turnbull of Glasgow, who was a consistent and prominent royal administrator from the 1420s through to the 1450s, are both examples of this type of survival at the very highest levels in Scotland.[129] Yet, it is amongst the lower ranks of the Crown officials that continuity, for pragmatic reasons alone, was even more apparent. The reasons for this are best summed up by Chrimes discussing English history circa 1400:

'By this time, if not indeed a good deal earlier, the administrative officials seem to have been regarded as largely permanent, and provided they were prepared to carry out the policies of new masters, were seldom disturbed in the tenure of their offices by political vicissitudes. The traditions of a politically neutral bureaucracy were already being built up, and in any event, *it was, of course, very much easier to encompass a coup d'etat without having to replace any large proportion of executive officers.*'[130]

It is dangerous to assume that the English patterns were replicated in Scotland; however, there are grounds for supposing that, despite Scotland's less complex bureaucracy, this sort of survival of local administrators did occur. Only the records of the Exchequer survive in large enough quantities to form a coherent picture of the officers from more than one region, but there is no suggestion that the turn-over of those holding the offices of custumar or auditor was greatly affected by either the events of 1406 or those of 1424.[131] This could, of course, be seen as evidence that these officers were of negligible import in regards to power; however, it seems more sensible to suppose that the low turn-over reflects the necessity of maintaining administrative effectiveness on some level. The custumar of Haddington from 1404 to 1422, when he died, was William Cockburn, at which time

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[128] Gordon, 'Roman Law in Scotland', 17, 21; Brundage, 'The Medieval Advocate's Profession', 448; J. Gillingham, 'From Civilitas to Civility: Codes of Manners in Medieval and Early Modern England' *Trans. of the Royal Historical Society* 6th ser. 12 (2002), 276

[129] Turnbull first appears as a Royal witness in 1428; he served as the keeper of the Privy Seal for twenty years (throughout the 1440s) and in the 1450-2 period was part of the circle around James II. *N.* MacDougall, 'Bishop James Kennedy of St Andrews: a reassessment of his political career', *Church, Politics and Society: Scotland 1408-1929* (Edinburgh, 1983), 12-3
The most startling English example dates to the 1480s: of 40 of Edward IV's councillors living in 1485, 22 served Henry VII, and 20 had served Richard III in the same capacity. Lander, *Government and Community,* 186; J.A.F. Thompson, *The Transformation of Medieval England 1370-1529* (London, 1983), 289

[130] S.B. Chrimes, *An Introduction to the Administrative History of Mediaeval England* (Oxford, 1966), 189 (italics are mine)

[131] *ER,* iv, ad indicem

the position was taken over by Walter Cockburn.[132] The smooth transitions within this position suggest that office-holders were not threatened by regime changes: William had an annuity for his services to the king throughout this period and visited James I in England at least once.[133] This administrative stability may have been particularly strong in Haddington: the clerk of cocket there at this time was William Cranston, who was likely part of the group that remained relatively separate from Douglas, along with Cockburn.[134] Curiously, Haddington alone did not suffer from the uplifting of customs revenue during this era, suggesting that not only was Douglas power incomplete but that loyalty to the absent king remained potent. Yet long-term careers in the administration were clearly not contingent on service being given exclusively to the king: George Lauder was the custumar of North Berwick from 1412 to 1426, when he moved to Edinburgh and held a royal office there; in the Albany regency he aided, and partook in, the illegal uplifting of customs by Douglas and his supporters.[135] This possibility makes evaluating the careers of some individuals difficult. John Forrester of Corstorphine, like Orkney and Livingston, was a member of James I's privy council in 1424, like them his career began in the last years of Robert III's reign when he took over his father's positions.[136] However, his record under Albany was one of continued activity in those administrative positions and he appears alongside Douglas, Albany and other prominent individuals such as Orkney.

Douglas was the dominant regional power between 1406 and his death in 1424 at Verneuil, France; however, this was not a monolopy and his position was only possible due to accommodations with other magnates, principally Albany and March, and the fact that the local nobility's interests in this period were not harmed by, and often were in concert with, Douglas' interests. Yet, the Douglas' family's dominance was temporary. In part, this was due to the destruction of the Scottish army at Verneuil. The death of Douglas and a number of other individuals (Swinton, Home, William Seton and Bikerton) caused the Douglas affinity in the southeast, or those allied with Douglas, was dominated by men whose focus was on internal

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[132] *ER*, iii, 595; *ER*, iv, 125, 177, 198, 361, 369
[133] *ER*, iii, 595; *ER*, iv, 125, 177, 198, 361, 369
[134] *ER*, iv, 75-6
[135] *ER*, iv, 50, 251, 412
[136] GD119/167

Scottish power and who were likely to use the royal administration to aid their careers after 1424.[137] The return of James I not only brought an immediate halt to certain activities such as the uplifting of the customs, it also meant the creation of an active, centralized and innovative court.[138] For men such as Balveny, Orkney, Angus, Forrester, Lauder of Bass, Cranston, Foulis and the Crichtons, amongst others, James I's court was crucial to furthering their fortunes.[139]

The political and social network in southeast Scotland between 1370 and 1420 was a resilient and complex structure. Its complexity allowed that resilience. Major feuds and international aggression were present throughout the period; however the majority of families active at the end of David II's reign were still influential at the beginning of James I's reign. The national stature of a few families, such as the Prestons, did decline; but this was not caused solely by the political and social tensions, personal choices and minorities within the families also played a part. Meanwhile, a number of other families continued to rise in status. While many of these families received a crucial burst of patronage under David II, the competitive environment with multiple channels of influence and patronage allowed them to survive, if not prosper, even when they had the misfortune to be embroiled in, or end up on the wrong side, of a feud or renewed English hostility. It was this characteristic that created the resilience. Monopoly was not possible nor was the permanent removal of a faction or family. How this benefitted individual families will be explored in the second half of this thesis. However, first the other complex component that, along with this lack of monopoly, made the southeast a complex and advantageous region, the economic presence of several flourishing burghs, must be discussed, since success in the political structure could be greatly enhanced by connections within the economic sphere.

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[137] M. Brown, *Black Douglases*, 230-1. It may also have removed what would otherwise have been a threat equal to that of the Albany Stewarts. MacDougall, *An Antidote to the English,* 75

[138] Wormald, *Lords and Men*, 41; M. Brown, *James I*, 48; J. MacQueen, 'Poetry: James I to Henryson', *The History of Scottish Literature*, i, (1988), 55

[139] Balveny and Orkney would be frequent court attendees of James I, Angus would eventually gain control of Liddesdale as warden of the Middle March, Lauder would be justiciar by 1425, Forrester was chamberlain, Cranston, Foulis (previously the fourth Douglas earl's secretary) and Crichton would all act as ambassadors, and Crichton would also become the captain of Edinburgh castle, master of the Royal household and sheriff of Edinburgh. Grant, 'Acts of Lordship', 246-8; *RMS,* ii, ad indicem; *Danicae Reg.*, 2nd series, i, no. 4765; Mss Milne-Home, no.631; *ER,* iv, 451, 573, 576, 598; *Yester Writs*, no. 64; Fraser, *Douglas*, iii, no. 70

Burghal Relations:

The standard paradigm for noble-burghal relations is dominated by three financial exchanges: the nobles' need for credit, the burgesses' acquisition of land as a long term investment and the mutual trade pattern between town and country. These primary contact points are the most visible in the historical record; yet, the relationship becomes more complex when the towns are not viewed as entities discrete from the noble, landed network and the relationship is not viewed in exclusively financial terms. Burghal influence was part of the political strategy of nobles, such as the earls of Douglas, and the burgesses looked to the nobility to expand their political and social contacts.[1] The growth of baronial towns is one of the better ways to study this phenomenon; however, aside from the lack of comprehensive sources on the baronial towns prior to the later fifteenth century, that problem lies outside of this study's concentration on the southeast network.[2] However, the overlap between the royal burghs and the nobility needs consideration.

One of the pecularities of the southeast is the complex relationship of town and port. Unlike the majority of large English and Continental trading towns in which the port was either part of the town or subordinate to its legal control, the southeast towns and their ports were neither geographically nor legally contiguous entities.[3] Therefore, it was necessary for the town either to gain complete legal control over the port or to cultivate a stable relationship with the landowner, or owners, who controlled access to the port. It is not unreasonable to assume that the necessity of such constant interaction was one of the prohibitory factors which reduced political conflict and aided the integration of the towns' political structures with the traditional feudal landowning network. This integration had an historic head-start due to the fact that many of the towns, directly founded by the Crown, had

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[1] It has been noted that the burgh court was the same in its basic conception as that of all other Scottish courts; there were no substantive differences between the law of the burghs and that outside of it. H.L. MacQueen & W.J. Windram, 'Laws and Courts in the Burghs', in M. Lynch (ed.), *The Scottish Medieval Town* (Edinburgh, 1988), 212-4, 222. They were part of one society and kingdom.
[2] 'Introduction', in M. Lynch (ed.), *The Scottish Medieval Town* (Edinburgh, 1988), 11
[3] Russell, *Medieval Regions*, 231-2

a defined position in the political structure already; but this forced physical interaction bolstered historic concepts.[4]

In the late fourteenth century relationships between the various ports, the landowners, and the councils were frequently re-negotiated. The earl of March's control of Belhaven and Dunbar was acknowledged in 1369-70; in 1389 Linlithgow's control of Blackness was recognized and the long discussion over Edinburgh and Leith's precise relationship began.[5] These acts coincide with other attempts by town councils to extend and/or have legally recognized their rights. In 1370 a conflict between Dunbar and Haddington, in which the burgesses had been given overlapping and therefore conflicting trading areas, was settled by the grant of reciprocal rights in both of the burghs.[6] This increase in political awareness by the towns was not confined to the southeast. In 1405 Robert III granted the alderman and Perth community a set amount from the burgh fermes for the upkeep of their bridge, suggesting a desire by the town to control the fate of their infrastructure.[7] This was connected to and in the end was largely over legal jurisdiction: in 1394 a royal charter granted the burgesses the right to their own sheriff and shrieval jurisdiction; following this in 1406 the magistrates of Perth gained the right to make burgh statues and to enforce them in the guild and baillies' courts. Nicholson notes that this 'unique privilege was a sign of the desire of the burgesses to escape from the attentions of royal officials and from the influence of the local aristocracy'[8] and points to the fact that it was also apparent in other towns, in particular Ayr. Here in 1385 the burgesses 'wished that the neighbouring lands should be leased in tack to simple husbandmen and not to any 'potent' lord' and then in 1418 the Ayr burgesses

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[4] That the legal structures of the two areas were separate but not fundamentally different or opposed is discussed by MacQueen & Windram, 'Laws and Courts in the Burghs' The assumption of a straightforward urban/rural divide, which may owe much to a Burgundian political focus, has also been challenged elsewhere: English/French models suggest towns subordinated to a national political structure, while Germany had an interconnected trade network with substantial overlap between landowning elites and urban government at a local level. F. Rorig, *The Medieval Town* (London, 1967), 111-2, 181-2; D. Nicholas, *The Later Medieval City* (London, 1997), 180

[5] Graham, 'Archaeological Notes' 216-7; *Edin. Chrs.*, 20-1

[6] Ewan, *Town-life* 144-5
This conflict, it should be noted, corresponds with the continued confusion over the exact delineation of administrative units in the area: a single location is often referred to as being in Edinburgh-shire, Berwick-shire, and/or the constabulary of Haddington, which itself is not always clearly under the purview of the Edinburgh sheriff; while confusion also reigns over the exact title of the constabulary of Lauder and its ultimate position. See Southeast Geography, 22-24

[7] B59/23/11, B59/23/12. Note these are not currently in the NAS

[8] Nicholson, *Later Middle Ages,* 263

claimed that all their burgesses were free from any distraint by the sheriff.[9] This fits with the overall rise in self-confidence among the towns, expressed in their greater participation in Crown affairs, such as the payment of David II's ransom and regular attendance at Parliament. The royal towns of this era generally controlled their own financial affairs with all burgh revenues other than the great customs granted directly to the burgh in exchange for a fixed sum paid to the Crown. Close oversight was not common.[10]

The arrangement a town had with a port and/or its landowner was a symbiotic relationship potentially beneficial to both sides. It provided the town council with an opening into the circles of the landowning nobility, while in certain cases it conferred regional or national status on a landowner who might otherwise be strictly local. The towns of Linlithgow and Haddington used the ports of Blackness and Aberlady respectively, and like Edinburgh this usage required negotiation with the landowners both of the harbours and of the surrounding area to ensure untroubled passage. Aberlady clearly belonged to Haddington from at least the 1330s; but Blackness, despite being in use from at least 1304, was not granted to Linlithgow until 1389. Furthermore the town was not granted the right to build harbour works at Blackness until 1465. This was an economically significant limitation and may have been a further reason why Linlithgow was unable to compete with the larger port of Leith, which did have a built harbour.[11] Dunbar was also divided: its port of Belhaven, a mile away, was legally separate until 1369-70 when it was granted to the earl of March as the port for Dunbar, which was elevated to a free burgh of barony with a right to use the royal seal at that time.[12] This grant was simply legal recognition of the earl's control of the area: as early as 1153 the earl was granting land in Belhaven. Dunbar itself did have a tidal anchorage; but the use of this spot is only recorded from the 1500s.[13]

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[9] Nicholson, *Later Middle Ages,* 263

[10] E.P. Dennison, 'Scotland', in D.M. Palliser (ed.), *The Cambridge Urban History of Britain* i, (Cambridge, 2000), 725; E. Ewan, 'The Community of the Burgh', in M. Lynch (ed.), *The Scottish Medieval Town* (Edinburgh, 1988), 239-41; M. Lynch, 'Towns and Townspeople in Fifteenth Century Scotland,' in J.A.F. Thomson (ed.), *Towns and Townspeople in the Fifteenth Century* (Gloucester, 1988), 175

[11] Graham, 'Archaeological Notes', 212, 217

[12] Penman, *David II*, 393-4

[13] Graham, 'Archaeological Notes', 216, 233-4

Of the major southeast towns, only North Berwick had a contiguous harbour, which existed as early as the 1170s when it was the southern terminus for the Earlsferry running to Fife. The presence of Tantallon two miles from town and the territorial dominance of the earls of Douglas and Angus modified the relationship between the town and its hinterland, but not in regards to the port.[14] It is probable that there was a clear separation between the town and the castle's maritime activity: Tantallon, and its small ville of Castleton, was served by a small landing spot, possibly with a wooden jetty, in a cliff-bound tidal inlet directly northwest of the castle, which was likely sufficient for landing supplies and fishing. Castleton's landing had a few boats that belonged to it, whether routinely anchored there or not, for it was one of the harbours from which the governor of Edinburgh castle requisitioned boats in 1335-36.[15] Furthermore, the existence of Baldred's Auldhame just south of Tantallon on the coast, with a graveyard active from the seventh century to the seventeenth century, suggests a greater population concentration around Tantallon Castle itself than is apparent in the modern landscape.[16] Of the southeast towns, however, Edinburgh reveals the most information about this relationship between the town and the surrounding nobility: the harbour of Leith was only two miles away but was owned by the Logans of Restalrig.

The Logan family owned the harbour and town of Leith and the barony of Restalrig. Although Edinburgh gained control of South Leith in 1329, it was only in 1398 that Edinburgh gained rights beside the actual harbour.[17] In 1398 Robert Logan of Restalrig granted the Edinburgh community rights to the town and harbour of Leith in order to facilitate their shipping. This was the beginning of a gradual process of entrenchment by the community: in 1414 it was granted further rights in Leith by Logan.[18] Negotiations with the family about harbour access would continue into the 1500s, with authorizations delineating rights-of-way in 1428, 1445, and 1471; the main concern throughout was to clarify precisely what the Edinburgh

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[14] In 1373 the Earl of Douglas was granted the privilege of North Berwick; however this right was to be resigned if it was detrimental to either the king or the burgh community. Robertson, *Index,* p111

[15] Graham, 'Archaeological Notes' 221

[16] E. Hindmarch & M. Melikian, 'Baldred's Auldhame: a medieval chapel and cemetery in East Lothian', *The Archaeologist* 60 (2006), 37-9. It must be acknowledged that the main activity at this site was, however, early medieval.

[17] D. Ditchburn, 'Port Towns: Scotland 1300-1540', in D.M. Palliser (ed.), *The Cambridge Urban History of Britain,* i, (Cambridge, 2000), 496

[18] *Edin. Chrs.,* 20-1

community was permitted, suggesting that the Logans retained negotiating power.[19] The control of Leith's foreign trade by Edinburgh was largely complete by the mid 1400s; but there is some indication that Leith developed a subsidiary market for bulk items such as timber, as it was impractical to transport them to the Edinburgh market for resale.[20] It was likely that this sort of expanding commercial land use was the main reason behind the numerous charters.

The composition of the group involved in these charters is interesting. The 1414 witnesses were: Provost George of Lauder, Towers of Cramond, Edmonstone, the dean of guild, and the three baillies of Edinburgh.[21] Although Towers and Edmonstone were members of the landed nobility, neither were major individuals. Edmonstone maintained a tenuous connection to the Douglas affinity of the period, but the relationship is sufficiently distant that he can not be considered as a representative of Douglas interests. William Edmonstone was only beginning his career in 1414. His father, John, who had been close to Douglas, died between 1410 and 1414.[22] After 1410 none of the Edmonstones made frequent appearances with the Douglases, or any other major family including the Albany Stewarts with whom they were technically cousins.[23] William's presence, therefore, seems to fit the definition of 'useful witness' more than that of 'representative of nobleman X's interests'. Arguably there also existed historical precedent for the Edmonstone family's connection with the Logans, at least as it involved Leith: undated charters of the late 1300s by Robert Logan concerning Leith were witnessed by John and Archibald Edmonstone amongst others, but this connection is no clearer than ones to Douglas or Albany, although the fact that they were essentially neighbours adds weight.[24] Towers' presence, given that he is listed as 'of Cramond', is explicable by the fact that Cramond was still a viable harbour, and negotiations over Leith would have had a direct impact on his interests. His presence also fits with his other appearances at events of local importance, such as the inquest of George Preston, an

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[19] Ditchburn, 'Port Towns', 497
[20] S. Mowat, *The Port of Leith* (Edinburgh, 1994), 15
[21] The baillies and dean are not named but in 1413 the dean was James Cant; and the baillies were: John Clerk of Lanark, Andrew of Lermath, and William of Wod. *Edin. Recs.*
[22] John may have been dead by 1413 when his heir and successor David is listed as a nephew of Albany: *ER,* iv, 178; but he is certainly dead by March of 1414: GD15/337; Fraser, *Douglas*, iii, no.358, 367
[23] Fraser, *Douglas,* iii, no. 59, GD15/337
[24] *Melrose Liber* ii, no. 500-01

important Edinburgh landholder, in 1421.[25] The rest of the men indicate that this was a matter for the burgh council officers and not the liaisons between the burgh and Crown: the custumars, clerk of cocket, tron, sheriff, captain/constable of the castle.

In the 1398 charter the seal of William Cunningham of Kilmaurs was used. William Cunningham was active under Robert II, Robert III and the Albany regency; and his son was active under James I. William was a cousin of Robert Logan; but the family had few other connections to the wider southeast nobility and were mainly active in the west coast area. Admittedly, William was granted the barony of Redhall in Edinburghshire by Robert III following Murdoch Stewart's resignation and the family held land in the shires of Roxburgh, Forfar and Ayr; but, with the exception of their connection to the Logans, they do not appear as witnesses in southeast charters and are absent from the social network.[26] Furthermore, it is possible that the grant of Redhall was part of the negotiations over Lennox and the custody of Dumbarton castle between Cunningham and the earls of Fife and Lennox following the death of Sir Robert Danielston who had held those offices. Cunningham had, by way of marriage to Danielston's daughter and heiress, a claim on those offices which were also of considerable interest to Fife and Lennox.[27] If this was the case, the Cunninghams' acquisition of Redhall should be seen as part of a larger 'national' deal rather than direct interest in the southeast.

Cunningham's connection to Logan is the exception. In 1385 Cunningham and Erskine are named as the defenders of Queensferry against an English attack.[28] The last minute nature of this defence implies that Cunningham must have already been in the area, either at Leith or Edinburgh. Cunningham's role in 1385 may not have been accidental; his appearance as a charter witness for the earl of Carrick around this time suggests that he was in more frequent contact with the Crown than

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[25] GD122/1/148

[26] Robertson, *Index*, p138, 146
The Cunninnghams of Kilmaurs may have had land in Berwickshire at this time; in 1427 Cunningham granted half of a carucate of land in the town of Hilton in Berwickshire to William of Aldyncraw. GD39/5/1. William does appear in 1385 defending Queensferry from the English, Bower, *Scotichronicon*, vii, 401, but that is their only appearance in the southeast in any sustained manner outside of the Logan connection.

[27] Boardman, 'The Man who would be King', 3

[28] *Pluscardensis*, ii, 245

is apparent in the record.[29] However, his southeastern involvement was strictly limited and should be regarded as motivated by two reasons: the obligation of familial links to the Logans and personal interest in maintaining access to Edinburgh and Queensferry. It has been observed that the majority of the nobility in Scotland were related to each other. Consequently, the utilization, and the appearance in the record, of familial ties does not represent simply a blood relationship, which due to their commonality is not especially useful, but rather represents a blood relationship being used in justification of a specific purpose.[30] In this case one might speculate on the larger trade patterns as being the motivation; as a west coast family the Cunninghams did not have the same immediate access that east coast families had to the North Sea and Baltic maritime traders.[31] Access to trade networks impelled the nobility to invest in merchant ships; additionally these families, and monastic houses, purchased properties in trading towns to serve as operational bases in order to take advantage of these broader and more lucrative trade networks.[32] Cunningham's interest in Edinburgh and Leith may well have had the same motivation. This idea is supported by his two southeastern appearances in the 1390s. In 1395 he was present at a council in Edinburgh that was concerned with the wool trade and in 1398 when Sir Robert Logan used his seal to seal the agreement with the Edinburgh community regarding Leith.[33]

The prominence of the Logans, though not the Cunninghams, in the surviving records of this period is due solely to their connection to Leith and to Edinburgh's need for a port. They are otherwise a strictly local family with little, if any, interest in royal affairs or any magnate's affinity.[34] Indeed, if their holdings had been inland

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[29] *Melrose Liber,* ii, no. 483

[30] The problem of kinship obligations and that other factors were needed for good lordship is discussed by Wormald. Wormald, *Lords and Men*, 78-83

[31] D. Hall, *Burgess, Merchant and Priest* (Edinburgh, 2002), 40-1; Ditchburn, 'Trade with Northern Europe', 164; Stevenson, 'Trade with the South', 190

[32] Other families with definite shipping investments included Orkney, Montgomery and Towers. *ER*, iv, 108; *Cal. Docs.*, iv, no. 697, 744, 764-5, 794; GD430/3. The monastic evidence can be seen in other towns: in Dundee all the surrounding monastic establishments had trading quarters within the burgh. McDonald, 'Reconstructing Twelfth and Thirteenth Century Dundee' p13-14. Russel, *Medieval Regions*, 232

[33] *Edin. Chrs.* 20; *Melrose Liber,* ii, no. 495
The council was attended by a diverse group: the Bishops of St Andrews and Aberdeen, Douglas, Kennedy, Cunningham, William Sen, Hugh Wallace, Forrester and Rankin Crawford.

[34] Though they may have had greater prominence earlier: Robert Logan travelled with James Douglas the 'Good' to Spain. Bower, *Scotichronicon*, vii, 69

or elsewhere along the coast their complete absence from the record would have been probable, as likely occurred with many minor landholders. However, by geographic accident they were placed in a prominent role both regionally and, by Edinburgh's own importance, nationally.[35] The Logan family can be usefully contrasted with the Crichton family in this regard: both families had a similar amount of land at this time, but the Crichtons' prominence in national affairs increases dramatically under James I due to their possession of a number of offices.[36] In the 1430s and 1440s the Crichtons were key political players; the Logans, on the other hand, were primarily concerned with their own holdings, in particular the development of their parish church in Restalrig and the erection of a chapel dedicated to St Anthony.[37]

Edinburgh, Linlithgow and Haddington's relationships with their surrounding landowners were delineated legally and politically. However, other towns, despite their ostensible autonomy as royal burghs, were often dependent on local lords. This is best illustrated by Dunbar's dependence on the earl of March. The earls of March and the town of Dunbar had an established relationship dating back into the 1100s; and the earls identified with town: an alternative familial title was 'earl of Dunbar'.[38] Economically, the merchants of Dunbar and the noble family shared interests which were disparate from those of the rest of Scotland: namely, their continued dependence on English links. They did not feature in the socio-economic network apparent amongst the other east coast burghs with few Dunbar merchants present in the other burghs. Trade with England, whether overland or maritime, was not confined to this group; Edinburgh accounted for 95% of the English wool shipped out of Scotland in 1375-80 and merchants from throughout Scotland travelled to England regularly.[39] But Dunbar, unlike Edinburgh, had no other major economic foundation aside from the wool trade.

In 1379 wool customed under the Dunbar cocket was shipped at Belhaven and at Berwick on Tweed.[40] The use of multiple ports was hardly unusual, but this

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[35] One could argue that it was not happenstance and that the family deliberately chose or was given that particular area because of its importance, but this is not provable.
[36] *RMS,* i, App.2 no. 1894, 1917; Roxburgh Mss, no. 9; *Danicae* 2nd ser. i, no. 4765; *ER,* iv, 451, 573, 576, 598, 607, 671; *Yester Writs,* no. 64
[37] *CSS.* iv, no. 108b, 111, 475
[38] Macdonald, 'Kings of the Wild Frontier?'
[39] *Atlas of Scottish History,* 243
[40] *ER,* ii, 603

use of Berwick indicates that the links between the two areas remained intact and that Dunbar merchants looked south rather than north when they needed alternate harbours. Although Leith, in its position as the main trade terminus, shipped goods cocketed as far north as Tain and Dingwall, Dunbar is strikingly absent.[41] In 1389-90 English records note the same continued contacts: cross-border trade by London merchants, March, Dunbar merchants, and the abbot of Melrose.[42] Further association with the Borders and with England was ensured by the fact that the expenses of Border affairs were paid out of the Dunbar customs.[43]

March was also closely connected to the only available anchorages south of Dunbar: Cockburnspath, Coldingham and Eyemouth.[44] The first was held by the Home family; the latter two by Coldingham abbey; both of these groups were traditionally closely associated with the earls. The earl's dominance over the region was apparent during the family's exile in 1400-10 when Cockburnspath, along with Fast castle, was transferred to English control.[45]

March's close economic connections with Dunbar were not limited to common interests. He dominated Dunbar's wool trade; consequently its fortunes, at least as reflected by the customs reports, were tied to his. Between 1389 and 1400 Dunbar's wool customs averaged approximately £250, only once in 1395 dropping to a low of £78. In 1401, a year after the earl and his family went into exile the customs recorded only £8 14s 5d.[46] This drop might have been due to raids and counter-raids in the region, but the places damaged in 1400-02 were largely to the north of Dunbar's hinterland and much closer to North Berwick.[47] This could be dismissed as part of the larger economic depression, but of all the wool exports recorded Dunbar's seems to have been the hardest hit. The 1400-06 average for the port was one-one hundredth of that shipped in 1372-76, in comparison the other southeast towns ranged from 5% to almost 14% of their previous amounts, with North Berwick

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[41] Leith also functioned as an entry point for foreign goods, even for other large towns such as Aberdeen. Booton, 'Inland Trade', 155; Ditchburn, 'Port Towns', 501

[42] *Cal.* Docs., v, no. 864

The English records' usage of the name 'earl of Dunbar' was due to identification with the town of Dunbar and to avoid confusion with the English earl of March, a rather different personage.

[43] *ER*, iii, 292

[44] Brooke, *Safe Sanctuaries*, 15, 42

[45] Macdonald, *Border Bloodshed*, 138

[46] *ER*, iii, ad indicem

[47] The direct impact of war on the export trade is not conclusive. See Ditchburn, 'Piracy in Late Medieval Scotland', 47-9

posting an anomalous increase; this suggests that Dunbar was affected by additional factors beyond the direct impact of hostilities and the economic depression.[48]

Dunbar's dependency was likely an unusual case. Dyer's studies of the English market system have demonstrated that economically smaller towns did not depend on the major nobility present in the region. These nobles tended to rely on their own estates for bulk staples or negotiated contracts with the major producers nearby, while importing luxury goods and specialty items from larger centres despite significant distances. They frequented smaller towns only if they were attached to their estates, thereby permitting the direct exchange of rent receipts or the benefits of pre-existing patronage connections. For the major nobility economic rather than geographic constraints were the primary concerns, with a preference to buy as close to the source as possible, thus eliminating the middleman. Additionally, because the greater nobles were highly mobile, if they did spend money in the local markets it was irregular in both timing and amount; and therefore their buying power could not be the foundation for the town's economy. The lesser English nobility, in particular the gentry, who were not as mobile, tended to make more use of the regional towns because their lack of mobility created long term contacts; however, they too relied on their estates for staples and major centres for luxuries. Dyer cautions that even in the case of close proximity between a great lord's main seat and a small town there may have been relatively little overlap in the economic foundations of the two.[49] The economic foundation of a regional or local town such as Peebles, North Berwick or even Haddington was the small landowners, tenants and local villagers.[50]

North Berwick may illustrate this economic division. Tantallon is barely two miles from the town and has a landing spot on the cliff that can only barely be considered suitable. It is striking, therefore, that Tantallon's own ville, Castleton, was a fishing community.[51] The only reason for Tantallon to have a fishing

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[48] Stevenson, 'Trade with the South, 1070-1513', 191, Table 1. It is not impossible that North Berwick benefited from Dunbar's difficulties due to trade being redirected.

[49] See: C. Dyer, 'The Consumer and the Market in the Later Middle Ages', *Economic Hist. Rev.* 45 (1989), 305-327 at p. 311, 313, 323-5; a similar pattern to that of the great nobility is also evident in the royal household, though they also would be supplied by local purveyance as the household moved. Given-Wilson, *The Royal Household*, 42-3

[50] This trade pattern of the consumer should not be confused with another pattern of one major burgh dominating a region and controlling the markets of smaller neighbouring towns. For an example of this see: Booton, 'Inland Trade', 152-4

[51] Graham, 'Archeological Notes', 206, 221

community, and not simply a landing spot for off-loading supplies, was if the castle's household was functionally independent from North Berwick. This division existed despite the fact that North Berwick was closely associated with Tantallon: in 1373 the earl of Douglas, by then involved with the countess of Angus, was granted the privilege of the town.[52] However, it was clearly stated that this was to be resigned if it was detrimental to the king or the burgh community, suggesting that while there is no recorded evidence of tension or exploitation it was a legally foreseen possibility.

The relationship of the town and its port was one area of intensive interaction between the nobility and the burgh. However, this geographical factor was finite and only a few families were directly affected; far more connections between the burgh's leading members, the Crown and the landowning society were generated by the economic demands of trade and credit and by the search for power, which drove upwardly-mobile burgesses to form relationships with the nobility. These relationships become increasingly evident from the late fourteenth century onwards, and may have been supported by a concurrent shift within the burghal social hierarchy. By the late fourteenth century the merchant sector of the burgh had largely gained control while the craftsmen were relegated to second place. Connections to the Crown were dominated by the elites of the merchant class.[53] Yet, there was a certain logic to the Crown's tendency of employing merchants rather than craftsmen: their foreign trade, and success therein, directly generated the Great Customs revenue and up to a fifth of the Crown's yearly income. The merchants had the private resources to handle the increasing financial burden placed on the burghs, such as David II's ransom. They were more likely to have the administrative skills required in an increasingly sophisticated legal and administrative system. They had, by virtue of their trade, connections nationally and internationally which could be used as diplomatic conduits. In turn, these connections raised their awareness of

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[52] Robertson, *Index,* p111

[53] S.G.E. Lythe, 'Economic Life', in J.M. Brown (ed.), *Scottish Society in the Fifteenth Century* (London, 1977), 71-2. This was not an abrupt or complete shift; the crafts retained a strong corporate identity and a defined hierarchy. Lynch, 'Towns and Townspeople', 183; Lythe, 'Economic Life', 72-3; for a revision of the possible divide: Ewan, 'The Community of the Burgh', 233-6. A study of the complicated cross-currents of merchants, landowners, the Crown and the civic community can be found in Liddy, her study of York demonstrates how fiscal or political issues affecting the kingdom as a whole could generate conflict within the local community. It also shows how merchants allied with the Crown could gain power. C. Liddy, 'Urban Conflict in the late fourteenth century', *English Historical Review* 118 (2003), 1-32

affairs beyond the burgh.[54] These same characteristics, along with their personal financial capital and involvement as royal agents, meant that they were more likely to be regularly involved with the nobility.

It must, however, be kept in mind that this may be a skewed image due to surviving records giving inordinate weight to the mercantile hierarchy. The predominant source for information is the Exchequer Rolls which, by their very nature, give far greater attention to individuals trading in the goods on which customs duties were levied; those involved in the crafts or domestic trade are far less likely to appear in the records with any sort of consistency. It is not impossible that an individual who appears frequently in the record, and seems to have been of great importance, was actually important only within the hierarchy of the wool trade. That other hierarchies existed and were important in the composition of the burgh structure has been pointed out by Lynch and in studies by Ewan and Thomas of the crafts of Aberdeen, Edinburgh and Elgin.[55]

Connections to the nobility or the Crown did not mean that the family retained a dominant position in the local, daily politics of the burgh. Positions on the burgh council may have been used as a stepping stone to outside advancement by bringing individuals to the attention of the nobility or the Crown, but this did not always work in reverse. Horrox observed that when English towns pursued contacts with the nobility and the Crown or chose borough representatives local men with outside connections were highly desirable; but that there was a tendency for these men to have a reduced role in local everyday affairs. She argues that urban government had two strands: 'insiders' local men who held town office and were

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[54] Lythe, 'Economic Life', 72-3; this merchant-Crown connection was especially evident under James I: Stevenson, 'Trade with the South', 196-7
Though, of course the self-interest of the leading burgh members might well lead to behaviour which was potentially not in alignment with the policies pursued by the Crown or by other Scottish merchants: it was primarily the Aberdeen piracy, lead by Davidson and Mar, that lead to the curtailment or outright ban of all Scottish trade in Hanseatic ports between 1412 and 1436. Lythe, 'Economic Life', 77.

[55] E. Ewan, 'An Urban Community: The Crafts in Thirteenth Century Aberdeen', in A. Grant & K.J. Stringer (eds.), *Medieval Scotland: Crown, Lordship and Community* (Edinburgh, 1993) and E. Ewan, 'Mons Meg and Merchant Meg: Women in Later Medieval Edinburgh', in T. Brotherstone & D. Ditchburn (eds.), *Freedom and Authority: Scotland c.1050-c.1650* (East Linton, 2000); Lynch, 'Towns and Townspeople in Fifteenth Century Scotland'; M. Lynch, 'Social and Economic Structure of the Larger Towns, 1450-1600', in M. Lynch (ed.), *The Scottish Medieval Town* (Edinburgh, 1988); J. Thomas, 'The Craftsmen of Elgin, 1540-1660', in T. Brotherstone & D. Ditchburn (eds.), *Freedom and Authority: Scotland c.1050-c.1650* (East Linton, 2000)

responsible for day-to-day government; and 'outsiders' men with local interests who advised the town but had no direct play in the town government.[56] This is not a rigid distinction, but is a discernable pattern that can be observed in Edinburgh. It is apparent with the Forresters. In the early stages of their career they were burgh officials, aldermen, and royal officers. Gradually the latter position dominated and despite their position as connectors to the nobility and the Crown they were absent from the burgh's daily government.[57] The presence of two distinct strands in the urban political structure is suggested by other families: a 1416 charter of an Edinburgh tenement grant lists William Currour, whose connections were similar to Forrester's, having worked with him and the earl of Douglas, as one of the witnesses, but Currour is noted only as one of the burgesses, while the provost, baillies and serjeants had no known outside connections.[58] There is no reason to suppose that there was a firm division or tension between the two groups; but it does suggest a practical limit to the degree of involvement in multiple areas of influence that any one individual was capable of at any one time.

This was particularly true if the individual, along with holding an office, shifted focus towards long-term landholding. To invest in land and then to migrate gradually into landed society and away from mercantile interests was a general tendency amongst northern European merchant families, in contrast to the pattern of southern, notably Italian, merchant families which, while investing in land, generally remained urban in character.[59] Yet, the association between mercantile families such as the Currours, Forresters, Parkles and Rollos, and the nobility was not driven solely by the urban elite; it was combined with the nobility's similar interests, in particular, for this region, the Douglas, Haliburton and Sinclair of Roslin families.[60] Investments such as the coal mines of Dysart, an asset used in trade between the earls of Orkney (the ultimate owners) and the Forresters, were only of benefit if they could

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[56] R. Horrox, 'Urban Patronage and Patrons in the Fifteenth Century', in R.A. Griffiths (ed.), *Patronage, the Crown and the Provinces* (Gloucester, 1981),148, 155-6, 159

[57] See Forrester section, 173-5

[58] AD1/35; *ER*, iii, 648; *RMS*, i, no. 885; *Cal. Docs.*, iv, 764-5

[59] D. Hay, *Europe in the Fourteenth and Fifteenth Centuries* (London, 1989), 410

[60] Parkle was a prominent Linlithgow family but also had Peebles links, they appear as witnesses for the Crichtons and Sandilands in the early 1400s: AD1/43; B58/18/11; GD76/1; GD119/463 Roxburgh Mss, no.10, 11

be easily exploited.[61] As an industrial concern, no matter how small, this required the cultivation of links with the burghs or with other forms of industry such as the pottery kilns of Colstoun outside Haddington.[62] The standard form of evidence, reflecting the greater political power of the nobility, was safe conducts for ships owned in some form of partnership between the nobility and the merchants or appeals by the merchants to members of the nobility for either redress or for safe conducts. It is probably not coincidental that the most successful noble family in the southeast, the Douglases, had a good rapport with various burghal families going back to the 1340s and 1350s. In 1342 an Edinburgh merchant aided Douglas' seizure of the castle, and a business connection was apparent from the 1350s when several Edinburgh merchants traded in England in the service of Douglas. The value of mercantile contacts in the war against the English was apparent in the 1370s when John Mercer, whose father served the earl of Douglas, led attacks on English shipping. The Douglases continued to patronize merchant ventures throughout the period, most notably under the fourth earl.[63]

The economic downturn of the late 1300s and early 1400s may have encouraged a more aggressive, if not actually illegal, approach to income sources. It also may have encouraged a more diversified approach which deepended the relationships between those primarily defined as mercantile/financial families and those defined as landowners.[64] The fortunes of the Rollo family demonstrate the recession's impact and the concurrent diversification. From 1379 John Rollo was the clerk of the cocket in Edinburgh and also received an annuity of 10£.[65] He was also a secretary for the earl of Strathearn and was recorded buying furnishings for the earl in 1379; in 1380 he was the primary auditor of Strathearn's accounts along with two Dundee burgesses.[66] John's attainment of a royal office in Edinburgh, given the timing, was likely dependent on his known quality as a business agent for Strathearn.

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[61] *RMS*, i, no.902; Will, Bob et al. 'Sourcing Scottish Medieval White Gritty Ware.' Project 481: Glasgow University Archaeological Research Division. http://www.guard.arts.gla.ac.uk/481/481index.htm; Hatcher, *The History of the British Coal Industry* i, 98

[62] Under James I the collieries at Tranent were also expanded, ER, iv, 600.

[63] MacDouglall, *An Antidote to the English*, 55; Mowat, *The Port of Leith*, 18-9; *Cal. Docs., iv, no. 697, 743, 764-5, 794*

[64] Ditchburn, 'Piracy in Late Medieval Scotland', 40
For the economic impact on trade see: Stevenson, 'Trade with the South', 188-95

[65] *ER*, iii, 2, 31

[66] *ER*, iii, 12, 33, 35-8

He was not, however, in any way connected to the surrounding countryside. John died between 1388 and 1390, when his son Duncan took over as the clerk of cocket.[67] He also took over as a financier for the Crown.[68] Until 1400 Duncan was confined to a narrow social network. As an Edinburgh burgess and Crown financial officer, his only known connections were to burgesses and directly to the Crown.

In the late 1390s the income of the Rollos began to be affected by the economic downturn. From a high in 1387 of 7£ 4s 6.5d, based on one penny per woolsack, the fee owed to Duncan would declined until 1403 when it reached its lowest point of 1£ 1s 11d.[69] It is not surprising that Duncan explored other options and connections. In 1400 Edinburgh's custumars were Adam Forrester, William Napier and Reginald Crawford and Duncan was the clerk of the cocket. In 1401, however, Duncan was listed as a deputy custumar for Forrester.[70] The cultivation of this link to the Forresters was not a one-time deal: in 1406 Duncan witnessed a grant by John Forrester to his brother. The witness list for this grant brought together several prominent burgess families: Forrester, Preston, Currour and Rollo alongside the bishop of Aberdeen, then chancellor, and the archdeacon of Lothian.[71] Taken alone this appearance of Duncan followed the career of his father: he maintained Edinburgh burgess connections and and served in Crown offices. However, this ignores a critical dimension of the Forrester family. It was in between the categories of royal official, burgess and landed nobility. It is probably through the Forresters, acting as an introductory link, that Rollo became involved with the Douglases. Duncan was a charter witness for Douglas several times, including charters connected with the marriage of the Douglas' daughter to John Stewart, lord of Buchan, and the son of the duke of Albany.[72] The multiple roles of Duncan in this capacity are impossible to unravel: business partner to Douglas, financial/administrative official (thereby connected to Albany) and a respected member of the Edinburgh regional elite.

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[67] *ER*, iii, 52-168 records for John; *ER*, iii, 168- onwards records for Duncan
[68] *ER*, iii, 311: in 1392 the Crown owed Duncan 10£ 8s 4d
[69] *ER*, iii, ad indicem
[70] *ER*, iii, 486-7, 514
[71] *RMS*, i, no. 885
[72] *RMS*, i, no. 945-49

William Currour followed a similar pattern of gradual advancement. In the late 1390s he was a member of the burgh council and in 1397 he was the provost of Edinburgh.[73] At this point William could advance no farther in the Edinburgh hierarchy; the only possible avenue of advancement was to cultivate links to the larger regional network, the same approach utilized by local landowners. William's first substantiated links to the regional community beyond Edinburgh were in 1406 when he was named as a servant or deputy of the late Sir Adam Forrester and appeared as a charter witness for the Forresters. In 1407, by marriage, William had extended his connections to the Maxwells. This marriage brought with it lands in Kinross; and the Maxwell connection created potential links to Albany with whom the Maxwells were associated.[74] Kinross was geographically distant and the Maxwells were neither active in the southeast nor interested in mercantile ventures. William's most active links included these attributes and consequently the Maxwell connection was not heavily utilized; nevertheless, it was a noble marriage and marked the family out from the regular burgess group. In 1408 a petition was made by Douglas for an English safe conduct to permit William and four other merchants to trade along the English and Flemish coasts.[75] In 1414 the Duddingston family, cousins of the Currours and also Edinburgh burgesses, held land in the barony of Roslin under the earl of Orkney.[76] William's participation in the social network outside of the burgh may explain his appearance in 1407 as the forester for Edinburgh.[77] The Currours' active links were determined by personal interests and geographic constraints; while marital links, though not heavily used, gave them another dimension in both geographic and political terms.

William Currour remained prominent in James I's administration. William was, until 1428, the deputy for Sir John Forrester, who had risen to the position of chamberlain, also sometimes described as Master of the King's House. There seems to have been a domino effect amongst the top sector of the Edinburgh burgesses: the rise of one Edinburgh family, the Forresters, in turn benefited and pulled along other

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[73] GD198/221 This charter, concerned with land within the burgh, is confined to the Edinburgh burgh community: the witnesses are all either burgh officials: the provost and baillies, or listed as burgesses.
[74] *RMS*, i, no. 913
[75] *Cal. Docs.*, iv, 764-5
[76] GD18/195; GD32/21/1
[77] J.M. Gilbert, *Hunting and Hunting Reserves in Medieval Scotland* (Edinburgh, 1979), 156

families.[78] Currour's career was in some respects an echo of Forrester's: moving from burgess, to town administrator, to deputy chamberlain. There were, however, a few notable differences.[79] Firstly, Currour's career and that of his family never went any farther than that of deputy, which may be explained by the two other differences. The Currours did not become landowning nobility; from the very start of Adam Forrester's career he began to amass properties and at Corstorphine the Forresters deliberately identified their family with a specific place. The Currours, however, can only be identified as burgesses, of Edinburgh and Perth; they never became the Currours of X in the way the Forresters moved from 'of Edinburgh' to 'of Corstorphine.'[80] The second difference was that William, while active as the deputy chamberlain and involved in the royal finances, was a non-entity in the actual circle of men around James I. While prominent in the Exchequer Rolls, he is almost entirely absent from the Great Seal Register, suggesting that he was rarely at court itself. William was likely an able administrator, and as such would have been valued, but he was not able to turn that into political control or influence. This difference cannot be ascribed merely to the fact that he disappears from the record after 1428, and has therefore a shorter career than either Adam or John Forrester, because there is no indication prior to 1428 that he was intent on developing a more political position.[81]

The Currours developed their position because of their burghal links, in particular their connection to a greater burgess, Adam Forrester. Their influence in the early reign of James I was strictly administrative and they remained burgesses. However, the same cannot be said of the Forresters. Like the Currours, the Forresters created their position through their economic and administrative ability, the knightly characteristics of military service and territorial control did not underpin their rise. Their career, examined in the next section, illustrates one end of the spectrum of power creation, that of the administrator whose office holding permitted the creation of a traditional landed base to match his status.

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[78] Another possible individual was John Turyne, who also served as Forrester's deputy and also supplied the royal household.
[79] *ER*, iv, 395-6, 438
[80] See Forrester section, 175-178
[81] Note that another appearance of a William Currour as the burgh's forester in 1449-50 was almost certainly a descendant. Gilbert, *Hunting*, 156

Forrester Family:

It is immediately apparent that an economically and politically vibrant town depended on links to the surrounding countryside; the same premise holds true for the individuals within the town.[1] Opportunities existed for ambitious individuals to take advantage of this relationship. A study of English towns has suggested that the town councils preferred to recruit burgesses who had links to the local lords and the Crown as their representatives or for administrative positions that dealt with affairs which went beyond the internal community concerns.[2] An English example was Richard Anson of Hull who followed the traditional burgess career of chamberlain, alderman, and mayor; but he also held a royal office in the port and had connections with the duke of York.[3] These political cross-overs are paralleled in the economic sector: it was common for burgesses to invest in land and become part of the landed class in their own right, or, vice-versa, for nobles to invest in trading ventures.[4] This dynamic must not be ignored in Scotland; it has been long recognized that merchants, such as Andrew Mercer, could and did play important roles in the Crown administration and served as major creditors for the royal family and for the nobility.[5] The Forrester family is another example of this, but it must not be seen simply as urban financiers, an image that creates a certain disjunct between them and

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[1] Rorig, *The Medieval Town*, 181; Ewan, 'The Community of the Burgh', 240-1
For a discussion of trade connections and relations between burgesses and the surrounding region see: Dyer, 'The Consumer and the Market in the Later Middle Ages', 305-327
The complexity of this network and some of its ramifications is also mentioned in J. Kermode, 'New Brooms in Early Tudor Chester?', in J.C. Appleby & P. Dalton (eds.), *Government, Religion and Society in Northern England 1100-1700* (Stroud, 1997), 144-158, esp. p146-8

[2] However, strictly local, urban affairs tended to be handled by men associated solely with the town. Horrox, 'Urban Patronage', 155

[3] Horrox, 'Urban Patronage', 148, 155-6, 159

[4] There is no social divide between the burgesses, the knights of the shire and the lords in English society. Genet, 'Political Theory and Local Communities in Later Medieval France and England', 26. Connections between burgess and landowners were common across the continent, both in Burgundy and Germany: Nicholas, *The Later Medieval City*, 180, 191

[5] Royal connections were not confined to the merchants; craftsmen, particularly in the metal industry, also had royal patronage: Ewan, 'The Crafts in 13th Century Aberdeen', 159; other burgesses prominent in government included Adam Tore of Edinburgh who controlled the Edinburgh mint in the 1350s and William de Leith who was the queen's steward in 1359: Dennison, 'Scotland', 725; *RMS*, i, app.2 no.1823, 1824. For an example of credit but also of how the relationship was far more complex than simple finance: a charter by Thomas Earl of Mar in 1357 was drawn up in Bruges acknowledging receipt of 1,000 scuta of Flanders from John de Tory brother of William de Tory, the younger, a burgess of Aberdeen, for which he renounces his right to the barony of Foverne in Buchan, which he returns to the heir of William de Strabrock: his granddaughter Marie de Scona daughter of Patrick de Scona (burgess of Aberdeen) and wife of William de Tory. Mss Mar and Kellie, i, no.6

the nobility, but as intimately connected to and operating within the same social network as the nobility.

The family was inextricably bound to three overlapping networks: the nobility of the southeast, the royal administration and the burgh of Edinburgh. Within Edinburgh the family was well connected. Forrester can be definitively linked to the Rollo, Hawick and Currour families, all of whom held royal offices in the region and beyond or were associated with the earls of Douglas. Additionally, possible connections to other Forrester families, primarily in east coast burghs, existed.[6] They must also be placed in the context of the landholders in the immediate vicinity of Edinburgh. Immediately to the east and south, that is the Canongate and the region bounded by Cowgate, the land was held by a variety of religious institutions.[7] The largest of these was the abbey of Holyrood, whose holdings included Canongate, the barony of Broughton, Pleasance and North Leith. Holyrood's landholdings were made doubly significant by virtue of the fact that it physically controlled access to Leith. North Leith was on the west of the water of Leith while Edinburgh's interests in South Leith were on the east bank, consequently the abbey held land on both sides of the right of way.[8] Farther out from these holdings lay the estates of individuals whose primary identification was with the nobility and not the town. These were, clockwise from the north, the Logans held Leith and Restalrig baronies, the Prestons had interest in Musselburgh (towards the east), the Sinclairs of Roslin had interest in Duddingston, the Douglases of Dalkeith held Dalkeith (further away but on the main Edinburgh road), the Prestons held Craigmillar, the Crichtons held Braid (directly south of Edinburgh), beyond Braid the Pentlands were held by the Sinclairs of Roslin, the Forresters held Corstorphine (directly to the west), and farther west the Crichtons held Blackness.[9] Corstorphine was held by the Forresters from the late 1300s; and its position west of Edinburgh on the route along the Forth to Queensferry, Blackness and Linlithgow ensured that the

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[6] *ER*, iii, 514, 648; iv, 76-7, 117; *RMS*, i, no. 885. Also definite collegeaues are the Napiers, *ER*, iii, 486, 514, 543

[7] By 1430 three major religious institutions formed a continuous southern boundary along the Cowgate: Blackfriars, Kirk o'Field (church of St Mary in the Field), and Greyfriars. Robinson, 'Tenements: a Pre-Industrial Urban Tradition', 63n16

[8] E.P. Dennison. *Holyrood and Canongate: a Thousand Years of History* (Edinburgh, 2005), 39-40

[9] *RMS*, i, app.2 no. 1894, 1917, ii, no. 33; Fraser, *Haddington*, no. 292; GD18/1,GD18/2; GD32/21/1; GD122/1/147; *Cal. Docs.*, iii, no. 332, 382; Hay, *Sainteclaires*, 62; *Melrose Liber*, ii, no. 500-1

Forresters, like the Prestons on the route south and the Logans in Leith, were highly visible.[10] These secular landholdings, with the possible exception of Blackness, were created between the Wars of Independence and the end of Robert III's reign.

The careers of Adam Forrester, burgess of Edinburgh and later lord of Corstorphine, and those of his son and grandson are textbook examples of a family's rise through the burgess ranks and various Crown offices. Adam largely fits the definition of the fifteenth-century bureaucrat as proposed by Griffiths for England: someone promoted through the ranks of service and administration; devoted primarily to administrative tasks with no other activity (e.g. military) and approached by individuals and institutions outside the Crown for their expertise. The only part of Griffiths' definition that Adam does not fit, or at least is not supported by the evidence, is that of having professional training.[11] The family's rise under Adam in the late 1300s, its stable position under John till *circa* 1430, and then its relative obscurity under Henry after that date also supports Nicholas' comments about both the typical longevity and behaviour of urban families. Nicholas notes, in studying the London merchant families, that the majority of urban families tended to be limited to three or at most four generations as a specific patriarchal family line connected to a specific business concern. It was unusual for a family to remain prominent or to hold property for longer; this was partly due to the definition of property. A merchant's accumulated capital or his business was generally classified as movable property or chattel and was subject to inheritance division; consequently, most businesses ended with each generation. This trend was accentuated by the tendency of merchant families to move into landed property, which was not susceptible to the same inheritance divisions and, importantly, conferred an absolute and defined amount of status. Nicholas points out that this was due more to the interests of status rather than economic benefits.[12]

This generational movement was not confined to the burgess families; arguably it was part of the period's social structure. David Herlihy in his work on medieval social mobility points out that the patterns of welfare and population

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[10] *ER*, iii, 378
[11] Griffiths, 'Public and Private Bureaucracies', 113-4
[12] Nicholas, *The Later Medieval City,* 181-2, 190

replacement created a situation where the dominant demographic trend was downwards.[13]

> The more rapid expansion of the higher social strata tended to create a top-heavy social pyramid. Stability had to be sought by forcing a continuous downward settlement of family lines from higher to lower social levels...The children of the privileged thus faced an uncertain social future, and, barring extraordinary efforts, many of them would have to accept a lower status than their parents had enjoyed.[14]

This situation was created by the fact that higher social levels tended to be more successful in rearing large families; however the social structure, in particular at the top, could not expand at the same rate. Paradoxically, by creating persistent movement in the social structure, this dominant downwards trend made it economically possible and socially acceptable for enterprising individuals, such as the Forresters, to rise through the strata.[15]

A major difficulty with the Forresters is classification: whether they should be seen as part of the landowning society or as burgesses with land. The issue revolves around how one defines 'landowning.' Certain burgesses owned land and were in the most literal way landowners, yet equally clearly they remained burgess families. This is a matter of social constructs as much as it is of legal definitions, and here the charters, in particular the royal charters where the witness lists are both hierarchic and formulaic, are the best indicators for a family or individual's permanent change in status. Court scribes tended to pay careful attention to the correct title of the individual in question and changes in style were carefully documented. Another indicator is the subject's long-term involvement in the area around the land which he controlled: appearances as a charter witness for other landowners, marriages to neighbouring families or involvement in disputes.

There is another difficulty with this definition: at what point does a family cease to be a burgess family and become a landowning family? In some cases the change may be quite obvious. The Crichton family was an exemplary case:

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[13] See D. Herlihy, 'Three Patterns of Social Mobility in Medieval History', *Journal of Interdisciplinary History 3* (1973), 623-647

[14] Herlihy, 'Three Patterns', 632

[15] Herlihy, 'Three Patterns', 633

This downwards trend is as important as that of upwards mobility; it is usually not as closely studied however. P. Burke, *History and Social Theory* (Cambridge, 1992), 64. For an introduction into social theory in a historical context see: Burke, *History and Social Theory*

originally from Berwick upon Tweed, in the early to mid 1300s the family bought, married into, was granted, or otherwise acquired lands in the Mid-Lothian region. Its association with Berwick was apparently terminated at that point: the actual acquisition of the land signalled its shift. This was further re-enforced by its involvement in the region, its immediate development of a castle at its caput, and (a critical point) their personal identification as the Crichtons *of Crichton*.[16] Yet it might be said that political matters forced the break, and that in other circumstances, in which Berwick upon Tweed remained Scottish, the Crichtons might remained associated with Berwick upon Tweed. It is therefore worthwhile to consider other examples.

More typical was the burgess who owned land but whose identity remained that of a burgess; in these cases the land should be seen as an investment and/or an obligation created by kinship links, but not as a part of a pre-conceived plan by the individual to shift their position in the social structure. In arguing this the evidence used is generally taken from royal records and it is assumed that if the individual was styled as a burgess, even in documentation which explicitly refers to land he owns, he was regarded as such socially and legally.[17] The example of Thomas Malville fits this model. Malville first appeared in the record when he was granted, in *circa* 1400, the royal office of cuinzie striking in Edinburgh.[18] He is not styled as a burgess in this grant; however logic would indicate that such an office could only have been granted to an individual well established in the town's community. His other appearance in the record established him clearly as a burgess: this charter of 1405 dealt with land Thomas held in Halsygnton in the earldom of March, by way of marital connections to the Maitlands of Halsygnton.[19] Malville remained 'a burgess of Edinburgh' rather than being styled 'of Halsygnton.'

The transition from burgess to landowner was a shift between two distinctive social networks; yet these interests and networks were not necessarily either/or

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[16] *RMS,* i, no. 280, App.2 no. 1894, 1917; ii, no. 33; Fraser, *Maxwell Inventories,* no. 10; Mss Atholl, p706; *Newbattle Reg.,* p165-7, 308-9; GD18/1-2; C. Tabraham, *Scotland's Castles* (London, 2005), 76

[17] For example William Robert burgess of Dunfermline held land in Haddington constabulary, *RMS,* i, no. 914; see also *RMS,* i, no. 913; Mss Mar and Kellie, i, p1, no. 3

[18] *RMS,* i, App2. no. 1823

[19] *RMS,* i, no. 875

conditions. Landowning was not a closed society.[20] There is, however, another change in status that must be taken into consideration: the movement from non-knightly to knightly status. The acquisition of knighthood was an either/or condition with eligibility technically dependant on proof of noble lineage.[21] Theoretically, this meant that knighthood was a closed group. Exceptions to this rule existed and Adam Forrester is an excellent example of those exceptions. Two conditions seem to have been required. The first was the possession of sufficient wealth in land, which in and of itself would ensure the family was part of the landowning social network. The second condition was likely the determining factor: service to the king. It was this factor that determined the Paston's attainment of nobility in England, and that of Jean Boutard in France, and of William Chalmers and Andrew Mercer in Scotland.[22] The grant of knighthood as a recognition of service was dependant on the favour of the king; yet it was also an almost mandatory elevation of status. In a society where the knight's responsibilities as a servant of the crown were clear and where it was expected that those servants would be drawn from the noble/knightly group the service of an individual without knightly or clerical status high in the ranks of the king's administration created an irregular position in the social hierarchy.[23] What is remarkable about Adam is that these three points (landed wealth, service and knighthood) were all attained within a single generation; almost certainly the rapid rise of a man by wealth and merit into a position that required the grant of knighthood. In 1396 he first appears as laird of Corstorphine, a clear indication of his landed status (but not necessarily of *knightly* status). He was indisputably a knight by 1403, by which point he was deputy chamberlain and had been a close counsellor and ambassador for Robert III for a number of years.[24] Perhaps the final point in favour for Adam as a candidate for knighthood was his only military

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[20] It has been argued that it was financial limitations and not concerns over social origin that maintained barriers between the two groups: social snobbery did not impact on the (English) marriage market, for example the de la Pole family (mercantile origin) married a family of royal descent. T.B. Pugh, 'The Magnates, Knights and Gentry', in S.B. Chrimes, C.D. Ross & R.A. Griffiths (eds.), *Fifteenth Century England* (Manchester, 1972), 87

[21] K. Stevenson, *Chivalry and Knighthood in Scotland* (Woodbridge, 2006), 8-9

[22] Stevenson, *Chivalry*, 15

[23] Stevenson, *Chivalry* 9-10, 14-16

[24] *ER*, iii, 378, 564

appearance. In 1402 he and his son, who was a knight by 1405, were both participants in the campaigns of that year.[25]

Adam's acquisition of the title was formal recognition of a gradual development taking place over decades. In contrast, John inherited it along with his father's offices and his father's knightly status. In a development that prevented the family's relapse into the burgess ranks, he appeared as a knight in the earliest records of his career. He was not simply John Forrester of Corstorphine, as Adam had been for a span of years between 1396 and 1403; but was always Sir John Forrester of Corstorphine.[26]

The Forrester family demonstrates the possible mobility of individuals in their careers and also of a family's mobility over generations. They are also an example of the impossibility of confining families to the either/or categories of burgess or landowner.[27] The fact is that in Adam's first dated appearance, in 1370, he is not in his guise as a burgess; instead it is a confirmation of his possession of land granted to him by William Seton, a minor Lothian nobleman. This land was in the Linlithgow sheriffdom, already an expansion outside of the immediate Edinburgh area. Adam was also granted lands by David II in the Linlithgow area.[28] However, his main landed interests were built up in and around Edinburgh. In 1377 a grant by William More of Abercorn gave him the Mains of Corstorphine. This land, west of Edinburgh and located on the routes to Queensferry, Blackness, and Linlithgow, would be the family's caput; and by 1396 Adam was styled laird (dominus) of Corstorphine.[29] By his death in 1405 Adam held, at least, the baronies of Corstorphine, Clerkington, Netherliberton, lands in Ratho barony, and the lands of Castlecary and Wrighthouse in Edinburghshire, Whitburne and Nudreff in Linlithgowshire and Fairliehope in Peebleshire. These holdings linked Forrester to three overlords: the Crown, the earl of Douglas and the Douglases of Dalkeith. The Crown was the direct overlord of the majority of these properties: Corstorphine and Netherliberton baronies, Wrighthouse and Whitburne lands, and the lands in Ratho

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[25] *ER,* iii, 613; Mss Luttrell's 77-8
[26] *ER,* iii, 613, 617; Balfour-Melville, *James I,* 254
[27] Note that in social theory movement by an individual is often classified as intragenerational, that over generations is intergenerational. Burke, *History & Social Theory,* 64
[28] *RMS,* i, no.367; Robertson, *Index,* p64
[29] Robertson, *Index,* p120; *ER,* iii, 378

barony, the barony having been granted by Robert III to his heir James.[30] Clerkington barony was originally held from the earl of Douglas, but in 1424 the barony was resigned to James I by the earl of Douglas with an immediate regrant directly to John Forrester.[31] This resignation and re-grant of the barony was in keeping with John's status as the senior administrative official, chamberlain and member of the privy council, with a career begun under Robert III, and whose support was valuable to the new king.[32] Fairliehope was granted to Forrester by Douglas of Dalkeith in 1377.[33]

These land-holdings and their attendant political and personal connections partially explain Adam Forrester's rise. They are indicators of his personal interest in land investment and/or as evidence for previously obtained success. Buying or being granted land was usually a reward and not done on credit or as an incentive. In considering why he was successful, for his range of land-holdings and personal connections were not unique, the diverse range of interests that he was involved in gives some clues. He owned, or controlled the rents of, a number of Edinburgh tenements; and he owned the hostelry of Traquair in Peebleshire from 1383.[34] Unsurprisingly, direct evidence of his involvement in the wool industry also exists, beyond that of his role as custumar. In 1391 Adam was granted an abatement on his wool customs by Robert III. This was also granted to Thomas Ker, another noted Edinburgh burgess who had links to the Borders.[35] Nor was he only involved in the wool industry. In 1400 an Adam Forrester was renting a portion of an Aberdeen fishing concern.[36] It is not entirely certain that this was the same Adam Forrester, but there was no other known Adam Forrester active at the time. Adam had been active in Aberdeen affairs and in contact with burgesses of Aberdeen along with the sheriffs of Aberdeen and Banff, in his position as Edinburgh sheriff in 1382 and 1386. His personal interest in the area would have been in keeping with the medieval tendency of combined public and private investment in an area.[37] His

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[30] GD124/1/1129
[31] *RMS,* i, app.2 no. 1768; *RMS,* ii, no. 7
[32] GD119/167; *RMS,* ii, no. 4-8, 13
[33] *Hist. Peebles*, ii, 122
[34] Robertson, *Index,* p124; *St Giles Reg.,* 28; *ER*, iii, 619
[35] *ER,* iii, 248
[36] *Abdn. Recs.*, 171
[37] *Abdn. Reg.*, i, 143, 173

involvement in Aberdeen is made more probable by the fact that other southeastern individuals were also involved in Aberdeen's maritime industries, such as the second Sinclair earl of Orkney, whose sister was married to John Forrester, Adam's son.[38]

Adam also, post 1400, derived income from the castlewards of Dalhousie and Cockpen baronies, with a remission of the castlewards due from the barony of Clerkington.[39] Additionally, from 1379 he received an annual pension from the Edinburgh fermes, from 1388 he had an annual income as custumar and, lastly, periodic payments for his service to Robert II and Robert III, though this was an irregular income source and at times was payment for out-of-pocket expenses.[40] He had, therefore, income from a wide variety of revenue sources.

Adam's son, John, did not participate in the exploitation of the customs during Albany's government, which may have benefited him under James I. But Adam was not averse to the possibility of politically hazardous action.[41] In 1397 he paid the earl of Carrick without the king's permission. Presumably both he and Carrick gained from the transaction; the Crown's anger over it was somewhat ironic due to previous events.[42] In 1385 Robert III, then earl of Carrick, was able to illegally seize £700 from Edinburgh's customs, which as in 1397, were overseen by Adam Forrester. Adam was also a charter witness for the earl in 1385.[43] These actions suggest some level of culpability on the part of Adam. However, this occasional seizure of funds from Edinburgh by Carrick, be it the future Robert III or David Stewart, may have been outside of Adam's control since they suggest tension within the royal family, particularly between the Chamberlain and overseer of the custumars, the earl of Fife, and Carrick.[44] Adam could have been an unfortunate pawn caught in the situation rather than an independent actor. Nonetheless, Adam was at least willing to look the other way; and he was better at the requisite balancing act than Thomas Forrester, relationship to Adam unknown, who, until 1384, was another of Edinburgh's custumars, but lost his position that year because he

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[38] *ER,* iv, 108; Stevenson, *Chivalry,* 127-8
[39] *RMS,* i, App.2 no. 1961
[40] *Edin. Recs.,* 319, 320; *ER,* iii, 118, 150, 161ff, 340, 486-7, 566
[41] James I's crack-down on the barratry of these years was evident in a 1426 statute outlawing certain special privileges. H.L. MacQueen, 'The Laws of Galloway', in R.P. Oram & G.P. Stell (eds.), *Galloway: Land and Lordship* (Edinburgh, 1991), 138
[42] *ER,* iii, 407-8
[43] *Laing Chrs.,* 68; Boardman, *Early Stewart Kings,* 135-6
[44] Boardman, *Early Stewart Kings,* 135-6

permitted Carrick to uplift funds from Edinburgh.[45] Adams's culpability in these machinations is obscure, but he was willing to undertake aggressive actions that had direct personal benefits. In 1404 he had sufficient clout and personnel to seize the lands and possessions of the English Order of the Hospital of St John of Jerusalem; an action that apparently had the tacit support of Albany and the earl of Douglas as well as Robert III, since complaints about the seizure of these properties by Adam, and his son, continued after the king's death.[46]

Adam's ability to exploit such situations was created by his powerful position in the social and political network. In 1382 he was sheriff of Edinburgh and Lothian, a position controlled by Carrick; this suggests that Adam's importance to Carrick as a local agent gave him the needed edge to keep his position despite being implicated in the same actions that caused Thomas to lose his position. In 1397 a similar balance may have existed: Adam's value to the court administration was sufficiently great that overlooking other activities was necessary. He was the deputy chamberlain, serving under Fife, and was an ambassador for the Crown.[47] Adam's position at this time is illustrated in the events surrounding Henry IV's invasion of 1400, when he was the leader of diplomatic embassy sent to discuss the conflict with the English king.[48] Ambassadorial parties were normally led by high profile noblemen, who reflected the authority of the king they represented; additionally, detailed knowledge of the legal and political issues under discussion was demanded.[49] He was, furthermore, handling the finances of a diverse range of individuals including David duke of Rothesay, in 1400-01, the abbot of Dunfermline, Walter Stewart, earl of Caithness, and the baillies of Dumfries, as serving the king and the burgh of Edinburgh.[50]

Landholding and a diverse range of investments were already a part of Adam's identity when he first appears in the record; it is therefore not possible to identify when or how he, or his family, made the transition from being solely a burgesses to burgesses and landowners. Yet, Adam's career as a bureaucrat can be

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[45] *ER,* iii, 118
[46] *Cal. Docs.,* iv, no. 651, 718
[47] *APS,* i, 212; *ER*, iii, 486-7, 566-7, 592, 613, 617; *Cal. Docs.*, iv, no. 547, 664
[48] Macdonald, *Border Bloodshed,* 139
[49] C.T. Allmand, 'Diplomacy in Late Medieval England', *History Today,* 17 (1967) 548-551; M. Keen, 'Diplomacy', in G.L. Harris (ed.), *Henry V: The Practice of Kingship* (Oxford, 1985), 182
[50] *ER,* iii, 501-2, 516, 545, 661

traced; a career that demonstrates the dynamic possibilities within late medieval Scotland. In the 1370s, presumably fairly close to the beginning of his active career, Adam appears as an alderman of Edinburgh; at the time of his death in 1405 he was the custumar of Edinburgh, an auditor of the Exchequer, the deputy-chamberlain south of the Forth, and occasional advisor and ambassador for Robert II and Robert III, as well as having been the sheriff of Edinburgh and Lothian and, in what might today be termed private affairs, a financial advisor for members of the royal family along with many major magnates and religious institutions.[51] What is astonishing is that prior to the 1370s the Forrester family is absent from the records, and in the Exchequer records to 1359 the name Forrester does not appear. The Forresters are a constant presence in the record between 1370 and the reign of James II, generally at a very high level in the Crown's financial and diplomatic affairs. This rise occurred within a single generation, it was sustained for a second, and faded away under the third. It was a fragile presence created solely by the abilities and inclinations of two individuals; it did not rest on, as some families did, a widespread network of kin controlling a spread of territory.[52] Naturally, one must differentiate between the family's presence in the historical records of the higher levels of the government administration and their presence at the local level. The Forrester family remained prominent within the Edinburgh region, socially and politically, well after the fifteenth century.[53]

A discussion of the main Forrester line, the Corstorphine line, is not complete without considering the other Forresters active in this period, in particular those active during Adam's lifetime: Walter, Thomas and Robert. In all three cases their exact relationship to Adam is unknown with no evidence either supporting or disproving a familial tie. It is a matter of conjecture to suppose some kinship; such thinking is based on the fact that they shared similar interests in their careers, operated in similar geographic areas and in the same time period.[54] In this case the occupational nature of the name 'Forrester' makes one wary of assuming kinship.

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[51] *Paisley Reg.*, 43, 47; *Edin. Recs.*, 297, 320; *Abdn. Reg.*, i, 143, 173; *ER*, iii, 118, 150, 340, 486-7, 515-6, 545, 566-7, ad indicem; *Cal. Docs.*, iv, no. 547, 664; *APS*, i, 210, 212; *Cal. Patent Rolls, 1399-1401*, 352

[52] See Haliburton section, 22-229

[53] D. Laing, 'The Forrester Monuments', *PSAS* 11 (1876); Stevenson, *Chivalry*, 127-8

[54] It is remarkable that in *ER I* (which runs to 1359) the Forrester surname is entirely absent, suggesting that all these men were active in the same generation.

However, while kinship is impossible to determine, it is undeniable that they knew each other and worked together. What is not clear is the level of this familiarity: was this a periodic acquaintance no different from relationships with other administrators?[55] Thomas and Robert were custumars of Edinburgh and Perth respectively; while Walter was archdeacon of Lothian and then the secretary of Robert III.

Walter first appears in the government records in 1379 as a deputy clerk of the Wardrobe. By this stage he already had the title 'Master Walter Forrester'.[56] He remained a royal clerk for the rest of his career, gradually working his way up to the aforementioned position of secretary for Robert III. Walter was born in 1355 and had a brother: Patrick Forrester, a burgess of Dundee.[57] This information supports the supposition that the relationship with the Forresters of Edinburgh was at best an extended familial link; however, that Walter's known kin was also a burgess from the east coast does emphasize the potential commonality of their interests and backgrounds. Hints of a personal relationship are suggested by a 1384 land transaction which saw Walter as procurator for the resignation of land that was then regranted to Adam; and a 1391 charter by Adam that was witnessed by Walter. Furthermore, while Walter may have come from Dundee and Adam was from Edinburgh, both had interests Aberdeen: Walter was a canon of Aberdeen by 1388, by which time Adam was known to be involved in the affairs of the region.[58] Adam also had a personal connection with Dundee: in 1380 and 1381 he was associated with Patrick Innerpefyr, a burgess of Dundee, in connection with business for the King and the earl of Strathearn.[59] Between April 1383 and 1390 Walter was the archdeacon of Lothian; in this position as the Church's foremost representative in the region he would have had regular contact with Adam Forrester in his position as sheriff of Edinburgh and Lothian. Admittedly, it is not clear whether or not Adam held this position throughout the period, but his growing prominence in Lothian affairs during the 1380s is definite. They were, therefore, men likely to encounter

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[55] One might well argue that Adam and John had a closer relationship with the Napier family, who were the other Edinburgh custumars and whom they must have encountered frequently, than with their scattered kin, who, even if they were in the same employment, they probably saw rarely.
[56] *ER*, iii, 30
[57] For a biography of Walter Forrester see Watt, *Biographical Dictionary,* 197-200
[58] *Abdn. Reg.*, i, 143, 173; Watt, *Biographical Dictionary,* 197-200
[59] *ER,* iii, 33, 83, 656, 673

each other outside of their service to the Crown. However, Walter was very much a contemporary of Adam in the civil service: it was also in 1379 that Adam received a grant from Robert II, which marked the recorded beginning of his royal service.[60] That the two men had common career interests, if not abilities, is further supported by the fact that Walter served as an auditor of royal accounts in 1388, as did Adam; and this involvement in the Crown finances would be a reoccurring theme in their relationship.

Between 1392 and 1398 Walter is absent from the record and was probably outside of Scotland.[61] On his return, the character of his career was slightly different from that of earlier. Under Robert II Walter had achieved quite high status: in addition to his position as an auditor of accounts, he was named as keeper of the Privy Seal in 1386, though he did not keep this position.[62] From 1398 onwards he appears solely as a royal administrator and was not involved in Lothian affairs, his position as archdeacon having been lost to John Borthwick in 1390. But his connection to Adam in the arena of royal politics is, if anything, even more evident. They were both members of the 1398 and 1399 council, which were the apex of Rothesay's power.[63] In 1400 both were again amongst the auditors of the Royal accounts, something repeated in 1402.[64]

It is difficult to determine which, if any, faction Forrester supported, since no less than four possible powerful patrons existed: Robert III, Albany, Rothesay, and Douglas. That two people appear together in the record does not automatically mean they were political allies. This problem existed after 1402 as well: Walter was the secretary of Robert III, though it is possible that he held this position as early as 1400; as such his constant appearances in the Royal records make his closeness to Adam difficult to judge: which were 'meaningful' and which were routine? Walter supported Robert III in this period; which was explicitly stated when, in 1405, he was paid for his counsel and good service past, present, and future to Robert II and

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[60] *Edin. Recs.*, p319
[61] Watt, *Biographical Dictionary*, 197-200
[62] *ER*, iii, 679
[63] *APS*, i, 210, 212; R.S. Rait, 'Scottish Parliament', *English Historical Review* 15 (1900), 417-444 at p. 423-4; see Boardman, 'The Man who Would be King' for Rothesay
[64] *ER*, iii, 486, 539

Robert III.[65] The 'future' part is particularly enlightening for it is in line with his diplomatic mission of October 1405 to the French king; this mission, may have been connected with a plan to convey the future James I to the French court, and was a proactive movement, an attempt by Robert III to regain personal control over all aspect of his kingship.[66] Considering this later evidence for Walter's career it is safe to venture that in the late 1390s he supported either the king or Rothesay, but nothing further can be adduced.

Adam's loyalty is less certain. His position as deputy chamberlain, which placed him under the purview of Albany, and his closeness to Douglas, could have created a rift between Adam and Walter. But this is perhaps negated by the fact that on his death in 1405 his son, John, inherited all of his positions; if Robert III had serious concerns with the Forresters of Corstorphine that would have been the ideal time to remove them.[67] Therefore, it seems probable that Adam and Walter were in accord, considering the continued stability of their careers and that they worked together in situations outside of the court appearances expected for men in their positions. For example, in 1403 they, along with William Borthwick and the abbot of Holyrood, were sent to Berwick to discuss the truce, a particularly vital set of negotiations, it is logical to suppose that they held similar loyalties and viewpoints. Their inclusion in the 1404 commission for further discussions of a peace treaty indicates that their previous service was valued and that this was, at least in diplomatic affairs with England, a stable partnership.[68]

However, Walter's connection with the Forresters of Edinburgh/Corstorphine was confined to Adam; and, following Robert III's death, he avoided secular issues. He was made bishop of Brechin in 1407 and held that post until his death. His only appearance was at Edinburgh in October 1408: while there he witnessed several charters for James Douglas of Balveny alongside the chancellor (and bishop of Aberdeen), the bishop of Dunkeld, the earl of Douglas and various men who are clearly identified as supporters of Douglas, most prominently the Borthwick family.[69] This was a powerful group of individuals; and it might suggest an

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[65] *ER*, iii, 627
[66] Boardman, *Early Stewart Kings*, 291
[67] *St Giles Reg.*, 28; *ER*, iii, 613, 619
[68] *ER*, iii, 567; *Cal. Docs.*, iv, no. 664
[69] Fraser, *Douglas*, iii, no. 299, 361; *A.B. Ill.*, ii, p375-77

inclination towards involvement with Douglas rather than Albany, there is, however, simply insufficient evidence to come to any clear conclusion aside from a preference for non-involvement. Although, that itself suggests that Walter's interests lay in serving the Church and the Crown and not in the politics of Crown control during a lieutenancy.

The striking thing about these two men is the pattern of their careers. Both began as agents locally in the Edinburgh region and then gradually progressed to be high level advisors. They both served in positions that involved the judicial and financial issues of the region under Robert II, Walter as archdeacon and Adam as sheriff. Their financial and diplomatic acumen seems to have been the most important in explaining their successful careers. Yet, they were not simply able administrators that happened to be brought together; but that they shared a common background, both in interests and in geography, which was unlikely to have been mere coincidence. The prominence of these two men together in Robert III's later administration was probably not accidental; it suggests a deliberate attempt to strengthen the administration by employing men with connections that were not based solely on loyalty to the Crown, but which were multi-dimensional.

This is further suggested by the appearances of Thomas Forrester. It is highly probable that he was related to Adam given that both were from Edinburgh; and the two men definitely did work together. Thomas was a custumar for Edinburgh between 1379 and 1384, at which point he lost his post for aiding Carrick and for being absent from his post, the latter infraction perhaps the one it was impossible to overlook. He then reappears, most intriguingly, in 1395 working alongside Adam to render the accounts of Perth.[70] It is not outwith the realm of possibility that his reappointment to a trusted financial position was due not only to his skills, but to an interest by Robert III in strengthening his administrative network, though this pairing was apparently less successful than that of Adam and Walter Forrester.

The last Forrester of this period to be considered is Robert Forrester; and here no relationship, either familial or business, is perceptible. However, he was the custumar for Stirling from 1379 to 1405.[71] This position would have put him into contact with the other Forresters in their recurrent guises as custumars and auditors.

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[70] *ER*, iii, 1-116, 118, 366
[71] *ER*, iii, 6-621

There is, however, a major objection to this possible network of Forresters in the east coast burghs: the problem of accurately judging the importance of extended kinship in an individual's normal personal network. It has been pointed out that kinship does not equate to political or personal affinity, indeed it is just as possible for individuals to have better relations with those to whom they are utterly unrelated but who share in their local concerns. Furthermore, even if their relations with their distant kin are amicable, their closest friendships are formed with those individuals they see on a regular day-to-day basis.[72] It is entirely plausible that this group of Forresters had no closer relationship than those between all the other custumars. In terms of direct impact it is clear that the Forresters of Corstorphine were more deeply involved with the local Edinburgh families which were their immediate neighbours. Adam and his son were the leading individuals of a group that was not based on connections with other Forresters, but centred on burgesses, Rollo and Currour, and some of the nobility, including Douglas and Sinclair.[73] Nonetheless, it is entirely too coincidental for all of these Forresters, all burgesses and all involved in the Crown finances, to have not had some level of relationship; and in the case of Adam, Walter and Thomas the likelihood is quite high. If they did, it could add an important dimension to the network of administrators developing in the late 1300s.

It should be noted that while the Forresters of Corstorphine move away from direct involvement in the local, as opposed to Crown, offices of Edinburgh, they did not cease to involve themselves with Edinburgh. Adam's daughter married a burgess of Edinburgh, who died by 1402. Admittedly, this marriage is balanced by John's marriage to the first Sinclair earl of Orkney's daughter, which tied them to the regional nobility.[74] John's children expanded the family's network beyond the southeast: in 1424 his daughter was married into the Maxwell family with land in Lanarkshire, a curious echo of the Currour-Maxwell marriage.[75] The Forresters remained a presence in the town, as suggested by a wynd, known also as the Common Vennel, which appears in charters as Forrester's Wynd.[76] Furthermore, the extensive rebuilding and expansion of St Giles, initiated by the English raids and fire

[72] Maddern, 'Best Trusted Friends', 113-5; Plakans, 'Households and Kinship Networks', 56, 62-3
[73] See Burghal Relations, 154-157
[74] Laing, 'The Forrester Monuments'
[75] *RMS*, ii, no. 15 See Burghal Relations for Currour, 157-159
[76] P. Miller, *PSAS* (1887) 253

of 1385, was an ideal forum for advertisement. The bond to rebuild, and likely expand, the church after 1385 was underwritten by Adam; the result was St Stephen's Aisle on the south side.[77] When, in 1401-1410, Albany's Aisle was created its central pier displayed the arms of Albany on the south and the fourth earl of Douglas on the north, the two regional authorities of the time.[78] More intriguing for the display of local prominence was the *circa* 1453 expansion of the choir: the pier caps include not only the royal arms, but those of Edinburgh, its provosts, Cranston and Napier, and the Prestons of Gorton or Craigmillar. The latter family, emulating the Forresters' earlier behaviour, entered into bond with the burgh authorities to commemorate Sir William Preston of Gorton, the result being the 1454 Lady Aisle; the family additionally demonstrated its piety and burghal involvement with the presentation of the armbone of St Giles to the church.[79] The building programme at St Giles was a public opportunity for leading individuals to make a statement of their success in a communal forum, which would have a broader audience than that for their own, albeit prominent in their own right, building projects at Corstorphine.

The Forresters cannot be classified solely as burgesses of Edinburgh by the 1390s. Adam is first styled lord Corstorphine in 1396. He had been a landowner for some time, but the appearance of this title irrevocably positions him in a category socially distinct from that of burgess.[80] This development indicates that he was not simply a burgess investing in land, but that he was personally interested in attaining noble status and in acquiring land for his family. The 1385 transaction between Adam and Thomas Erskine is an example of the former land use: in exchange for

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[77] *St Giles Reg.*,18; *Edin. Recs.*,320

[78] The exact date of the Albany aisle is difficult to determine. It seems unlikely that it could be before 1406, though possible; it would, however, form an excellent symbol of the 1409 Inverkeithing bond between Albany and Douglas. Indeed the fact that Albany's arms face south and Douglas north would seem to indicate a symbolic representation their agreement to share power amicably.
The repair and expansion of St Giles was not only advertisement within the community but also within Scotland, considering the repairs/expansions of both Glasgow's cathedral in 1406 and St Andrews post-1378. In St Andrews prominent patrons included the earl of Douglas and possibly John Dunbar, earl of Moray and March's brother. Cant, 'The Building of St Andrew's Cathedral', 91-2; J. Durkan, 'The Great Fire at Glasgow Cathedral', *Innes Review 26* (1975), 89-90; G. Hay, 'The Late Medieval Development of the High Kirk of St Giles Edinburgh', *PSAS* 107 (1975-76); D. McRoberts, 'The Glorious House of St. Andrew', *Innes Review 25* (1974), 97, 102

[79] G. Hay, 'The Late Medieval Development of the High Kirk of St Giles Edinburgh', 243, 248-50; D. McRoberts, 'Scottish Pilgrims to the Holy Land', *Innes Review* 20 (1969), 80-106 at p. 83

[80] *ER,* iii, 378

Adam's services and £200 silver he received the lands of Carcary in Dun Barony, sheriffdom of Forfar, from Erskine. This land was later, in 1400, granted by Erskine to another individual, indicating that it was collateral for the transaction.[81] These grants may suggest that Carcary was the means to an end, not an end in and of itself. That other grants of land to Adam were similar in nature cannot be discounted.

It is Adam's treatment of Corstorphine that indicates he was not only an urban land investor. Corstorphine's function as a family seat was most prominent under John. But Adam's usage of the title since 1396 and the fact that the first charters under John with Corstorphine as the place of issue were drawn up less than a year after Adam's death, in the presence of a number of high ranking lords, indicates that its primary development occurred under Adam.[82] John used Corstorphine throughout his Crown career: for example, the settlement of a 1434 dispute between a burgess of Kinghorn and the abbot of St Colme arranged by John in his position as Chamberlain took place at Corstorphine. This, like the Crichtons' usage of their castle when they controlled the chancellorship in the 1440s, provides a glimpse of the fluid private/public status of the nobility's residences.[83] Furthermore, Corstorphine was a prominent location, situating the family socially and geographically. The comparison with the Prestons of Craigmillar, at this time developing their estate on the other side of Edinburgh is unavoidable. The 1406 charter of John to his brother Thomas at Corstorphine makes the family's status clear: the witness list was headed by the chancellor alongside the archdeacon of Lothian.[84]

The 1429 establishment of the collegiate church, an elevation of a former chapel dedicated to St John the Baptist, at Corstorphine announced the successful attainment of an acknowledged position amongst the ranks of wealthy noble families in the southeast.[85] The effigies of both Adam and John, as armoured knights, leave no doubt as to their self-identification with the noble and chivalric culture.[86] John clearly desired an impressive church at Corstorphine. During the 1430s and 1440s

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[81] Mss Erskine, p633; *Fraser, Southesk,* no. 44, 51
[82] *RMS,* i, no. 885
[83] Mss Moray, p670; *RMS*, i, no. 885, ii, no. 34; Fraser, *Pollock*
[84] *RMS*, i, no. 885
[85] *Collegiate Chrs.,* p3-4; For the Collegiate churches as displays of wealth: Stevenson, *Chivalry,* 120-8
[86] Laing, 'The Forrester Monuments'

he applied to the papacy to double the number of priests at the church, bringing the number to nine, by uniting the rectory of Ratho barony to Corstorphine.[87] This added to a 1426 endowment from the Edinburgh fermes given to Corstorphine by James I, probably in return for John's continued service.[88] Because of this multi-generational drive to establish the prominence of Corstorphine, the family cannot be defined solely as a 'of Edinburgh' family and must be seen in a regional context. However, the connection with Edinburgh was retained beyond frequent appearances in Edinburgh for Crown business. John remained the custumar of Edinburgh under Albany. The traditional interest in St Giles church continued, in 1424 John granted St Giles an annual from his tenements in Edinburgh.[89] In 1425 James I granted Henry Forrester, John's son, a tenement in Edinburgh ensuring the family's interest in the town for the next generation.[90]

The career of Adam Forrester, like all other men, was based on personal service. However, it was through counsel, finance and administration that he, and his son, exercised their power; the family is almost entirely absent from the military record. Adam's only appearance in the field of actual combat was in 1402, when he was amongst those captured at Humbleton Hill. There is no doubt, considering Adam's closeness to Robert III and John's to Robert III and James, as well as his continued service during Albany's governorship, that they were influential men. But while they integrated themselves with the noble, landowning class through marriage and landowning and copied the chivalric culture, the Forresters' influence was not created by controlling territory or by the support of large kin-network. Instead, it was based on the rising prominence of fluid, monetary capital.

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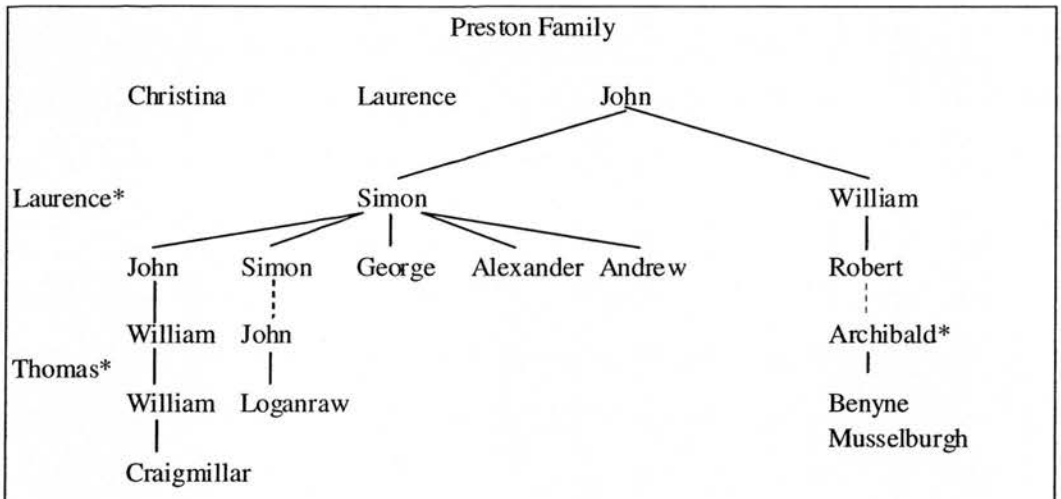
[87] *CSS*, iv, no. 305, 1020, 1028
[88] *Collegiate Chrs.*, p66-70
[89] *RMS*, ii, no. 34
[90] *RMS*, ii, no. 23

Preston Family:

The Forrester family illustrates an individual's movement from an identity as a burgess to that of a Crown official with national influence. There is a clear pattern of upward political mobility in an administrative context combined with the movement from burgess to landed nobility, which was seen as a vertical change rather than a horizontal shift. However, social mobility obeys laws similar to those of gravity and the Prestons demonstrate a trend in the opposite direction: moving from regional, if not national prominence, to a family which, while clearly wealthy and locally prominent, was not involved in affairs outside the immediate Edinburgh region. The Prestons' fortunes are more obscure than the Forresters, but on the whole indicate a downwards trend, if downwards is defined as reduced national or royal involvement. However, their reduced political participation was not matched by reduced social status.



* Laurence Preston is listed as an Edinburgh burgess in 1390, his relationship is unknown.

*Thomas Preston is Edinburgh's deputy sheriff in the mid 1400s, his relationship is unknown.

*Archibald Preston is a cousin of William but it is not clear whose son he is.

John, son of Simon, is the heir of his brothers George and Alexander

By 1400 the Prestons had established themselves at Craigmillar, outside of Edinburgh, with other Edinburghshire estates, including interests in the nearby harbour town of Musselburgh. The main portion of Craigmillar was acquired by

John Preston in 1339 from William Livingston.[1] This grant is an early indication of Preston's close association with those around David II, since Livingston was a regular councillor of the king in the 1340s.[2] It was later added to and elevated in a series of land deals in the 1370s between the Prestons and the Capella family, culminating in 1374 with Robert II's grant of the barony of Craigmillar.[3] Although the place name dates back to at least the 1200s, major development of the site began under the Prestons and all extant structures are no earlier than this period, with the tower house complex dating from the early to mid fifteenth century. The date for its machicolated curtain wall is likely mid-1400s, which coincides with the career of William Preston, whose wealth was advertised in the gift of the arm bone of St Giles to St Giles collegiate church and the patronage of an aisle in the same church.[4] The position of Craigmillar gives an indication of some of the factors underlying the family's success. The complex is located two miles outside of Edinburgh on the road south. Unlike Dalkeith, located a few miles further south, it did not function as a point of temporary royal residence until later in the fifteenth and sixteenth century, when it was used by Queen Mary. It did, however, lie on an important route: given the marshy ground of Duddingston loch between Arthur's Seat and Craigmillar and Braid burn to the west, any movement south went past Craigmillar before continuing to Dalkeith where the Esk River was crossed.[5] This is not to suggest that Craigmillar was capable of halting military movement and there is no indication that it was ever strategically vital. Potentially, its location made the Prestons influential in the wider life of the burgh and region, something that must be considered in conjunction with the family's aforementioned advertisement within Edinburgh by means of St Giles.[6]

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[1] AD1/12
[2] Penman, *David II*, 111
[3] GD122/1/143; RMS, i, no. 455, 620
[4] GD334/79; Tabraham, *Scottish Castles,* 79, 82-3
[5] The Edinburgh area was wetter at this time. The present day Calton and Holyrood roads were actually small burns; there was a small loch at the southeast end of Canongate, a loch in the lower end of Cowgate, and bog where the south and northwest gardens of Holyrood palace now exist. Dennison, *Holyrood and Canongate,* 2
[6] This advertisement of the Preston name was further enhanced in the late 1400s by the addition to the castle walls, and the garden, of the initial 'P' wherever possible. The argument that castles were expressions of established power and not the means by which power was obtained has been argued by Watson: F. Watson, 'The Expression of Power in a medieval kingdom: thirteenth century Scottish castles', in S. Foster (ed.), *Scottish Power Centres* (Glasgow, 1998), 61

Although Craigmillar was acquired and developed relatively late, the family was already well entrenched within the Edinburgh social structure and the regional and national levels. This was due primarily to the activities of John Preston during David II's reign and the competition between David II and several magnates to create and maintain substantial affinities in the southeast. From 1341 through 1366 John was a constant member of David II's inner circle. He was a household knight similar to men such as David Annan, William Ramsay, the Haliburtons and other Lothian noble families whose fortunes were advanced in this period.[7] His consistent loyalty to David II was well rewarded. In 1342 John was granted the barony of Gorton in Edinburghshire, which became one of the family's main holdings. Until William in the 1440s, the style 'Preston of Gorton' rather than 'Preston of Craigmillar' was more common.[8] It is probably not simply a matter of coincidence that on the same day as Preston's grant David II granted the Dalkeith barony to William Douglas, another loyal household knight.[9] Douglas' grant helped balance Ramsay's pre-existing power, as the baronies of Dalkeith and Dalhousie were next to each other; the Preston grant was to a noble without close ties to Ramsay or Douglas, thereby enhancing the king's direct influence. In both cases the grants were made after resignations. These grants should be seen in the context of a wider policy pursued by David II to encourage and consolidate support for his reign in the south-east. Both Preston and Douglas joined David II's raid into northern England in February 1342. These grants of January were both reward and incentive for service.[10]

David II was consistently interested in the southeast. After his 1357 return from England much of his household affinity was from the area, but the groundwork for the composition of this later affinity was developed during the first part of his reign. It has been argued that David II's 1358 affinity was basically that of Ramsay's *circa* 1340.[11] This is superficially accurate, if one considers Ramsay's affinity not to be men who had obligations to him but rather men with similar grievances and experiences who were, therefore, likely to take direction from the

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[7] Penman, *David II*, 202-3
[8] *RRS-David II*, no. 41; GD122/1/143, 145
[9] *RRS-David II*, no. 42
[10] Penman, *David II*, 85
[11] M. Brown, *Black Douglases*, 55

most powerful of their common group.[12] It was under John's brother or half-brother, Sir Laurence, that the Preston family first appears in a prominent position. Bower's description of this group in 1334/5 is illustrative of this: 'At that time also the noble Alexander de Ramsay called the flower of knighthood, with Sir Laurence de Preston, Sir John de Herring and Sir John de Haliburton firmly adhered to the king together with the guardians, and very often bravely won victories over the English.'[13] Both Wyntoun and Bower imply that Laurence was close to being equal in status with, though not as colourful as, Ramsay. Wyntoun states that in 1335 the men of Lothian assembled under Sir William Douglas, Alexander Ramsay, and Laurence Preston. Fordun's mention that Moray appointed Laurence as sheriff of Lothian in 1337, at the same time as his siege of Edinburgh castle, would seem to indicate Preston's independent prominence. This would also fit with Moray's grant to Laurence in December 1335 of lands formerly held by Andrew Murray of Tullibardine.[14] In the 1330s and 1340s the core of those fighting against the English in the south was composed of these Lothian knights, most of whom, including the Prestons, had strong incentive due to the forfeiture or destruction of their estates in the 1330s. This was, as stated by Michael Brown, 'a traditionally influential and independent community'.[15] The loyalty of the Lothian knights was a significant part of a competition between David II, Ramsay and Douglas in the period leading up to Ramsay's murder in 1342.[16] The grants of David II were not directed at a definable affinity but at an entire community; courting any single individual alone would not achieve his aims.

The Prestons are an excellent example of this problem. They had connections to the Douglases and the other southeastern knights, but were notable in their own rights. Ramsay is traditionally seen as the leader of the Lothian community at this time, perhaps largely due to Bower's comment about his chivalric school. Yet it is significant that while Bower named those in Ramsay's military affinity as Haliburton, Herries, Herring, Dunbar, and Dishington, Preston, though he frequently

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[12] Stevenson, *Chivalry*, 21-2
[13] Bower, *Scotichronicon*, vii, 109
[14] *RRS-David II*, no. 14
[15] The Preston family forfeitures included lands in Tranent and Miles: *Cal. Docs.*, iii, p337, 385
M. Brown, *Black Douglases*, 36
[16] Penman, *David II*, 90

appeared with Ramsay in descriptions of action in the 1330s, is not included. The decision by Moray in 1337 to appoint Preston as sheriff can only be indicative of an individual capable of generating local support. Laurence's death in 1338 occurred when, having received news of a new invasion by an English host, he as the sheriff of Lothian led a smaller host against them. He was killed in the resulting action, though the action was successful.[17] It is this reference to him as the sheriff that is the most important point, since it defines him as a crown agent and not simply as a prominent noble.[18] In this position he was not simply a part of a local network, but occupied a key point in the relationship between the locality and the central administration whose authority and legitimacy remained uncertain. Admittedly, such fine distinctions were clearer on paper than in reality: much of the resistance to the English and Balliol regimes in this period has been characterized as guerrilla warfare with little coordinated resistance.[19] In April 1337 Laurence was issued a safe conduct to travel to London; it is unclear whether he used this or not, but it might suggest involvement in diplomatic affairs as well.[20] The position as sheriff of Lothian, or Edinburgh, was an office held by the Prestons in the next century and gave the family a distinct role in the regional society: they became identifiable as agents of the crown in the local judicial and administrative network. This influential position, however, was coveted not only by the Prestons, but also the Douglas and Ramsay families, not to mention the king, due to its lucrative financial potential and its juridical and military prerogatives. Upon Laurence's death the position of sheriff is briefly unclear; but by *circa* 1341 it had been granted to William Ramsay, a rising

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[17] Bower, *Scotichronicon,* vii, 127

[18] There is confusion at this point in the Preston genealogy. Bower's chronology is wrong, the chronology used by Wyntoun and Fordun is correct. Bower states that Laurence died in 1334; however this is a mistake, elsewhere Bower has him alive in 1337 and 1338 as do both Fordun and Wyntoun, along with the Exchequer Rolls and the Cal. of Docs. both of which state that he is alive in 1337-38. The confusion is exacerbated by Penman's statement that Henry Preston was sheriff of Lothian in 1337, which can only by a typographical error as his source for this (A History of the Seton family) is a charter for Alexander Seton in which the witness is Laurence Preston not Henry. Henry Preston is of uncertain creation: Chalmers and Maitland have him as sheriff of Edinburgh in the 1430s, however there appears to be no primary evidence for this statement, and it should be said that this does fit with the known genealogy of the Preston family in the period. Bower, *Scotichronicon,* viii, 131. Penman, *David II*, 64n65

[19] B. Webster, 'Scotland without a King', in A. Grant & K.J. Stringer (eds.), *Medieval Scotland: Crown, Lordship and Community* (Edinburgh, 1993), 226-9

[20] *Rot. Scot.*, i, 489a

favourite of David II with more influence to offer the king than the presumably very young John Preston. Ramsay held the position until 1346.

Both the Ramsays and the Prestons supported David II. However, even without considering the office of sheriff, the Preston family, now headed by John, had little reason to support Ramsay in the 1340s. The estate of Hawthorndean, Roxburghshire granted to Ramsay by David II had been forfeited by Laurence.[21] This grant may have been simply a matter of practical recognition. By 1338 Ramsay was using Hawthorndean as a base. The Preston's inability to regain Hawthorndean may have been caused by Laurence's death, which was not followed by a straightforward succession by his brother John.[22] The rivalry between the families continued for years. In 1359 Isabella of Fife confirmed Preston's holdings in Fife, granted by David II the previous year; at the same time she was attacking William Ramsay's claims to the Fife earldom.[23] That Preston, despite his competition with Ramsay, supported David II indicates the success of the king's patronage. This was combined with self-interest: the gamble that the Crown had more to offer than the comparatively volatile Douglas family, which represented the other major source of patronage in the region.[24] The Prestons had, as was frequently the case in the southeast, multiple possibilities for patronage and advancement. Even their relations with the Ramsays were not black and white. Between 1342 and 1346 John was a witness to a charter by Patrick Ramsay, Alexander's successor.[25] If considered from this angle, the grants to Preston, and others, in 1342 and then from 1358 onwards represent a sustained campaign by David II to maintain the support of men who perhaps had other, ultimately less attractive, opportunities for advancement.

John was captured at Neville's Cross, but was back in Scotland by 1349.[26] He was not as active as his relatives had been during the preceding guardianship. Nonetheless, that he remained a supporter of David II in the following period is suggested by his appearance at the 1354 Inverkeithing council, which was composed

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[21] Penman, *David II,* 89
[22] Bower, *Scotichronicon*, viii, 147. Miles passed through Christina sister and heir of Laurence, who then granted the land to John, her brother. GD122/1/140
[23] GD122/1/141; Penman, *David II,* 236-7
[24] *RRS-David II*, no. 129
[25] *Newbattle Reg.*, 308-9
[26] *Rot. Scot.*, i, 67b; Fraser, *Douglas*, iii, no. 291

primarily of crown men.[27] He also witnessed royal charters in January and February of that year in Edinburgh and Brechin alongside the earl of March, William Livingstone and Robert Erskine.[28] In the years of David II's captivity it is likely that John was involved with the earls of Douglas and March in the southeast, though he was not a prominent member of their affinities.[29] His relationship with the Douglases is the more uncertain of the two, despite the greater evidence provided by his witnessing several Douglas charters including one at the Inverkeithing council. It would be incorrect to assume a close relationship with Douglas specifically: all of the charters were concerned with grants by Douglas to James Sandilands, specifically concerning the barony of Wester Calder in Lothian. This may suggest that John's involvement was only secondarily concerned with cultivating connections to Douglas and that his appearance was due to a close link with the Sandilands. This supposition includes the Inverkeithing charter. John did not witness the original, which was a grant by William, lord of Douglas, to James Sandilands and Eleanor Bruce, sister of Douglas, on their marriage. That his connection was primarily to the Sandilands and not Douglas is supported by the fact that he also witnessed the inspection/confirmations by Fife and by David II, charters concerned with bulwarking Sandilands' legal rights and not Douglas' position. The involvement of the Prestons with the Douglases, a vertical relationship in terms of power, may have been determined by the stronger horizontal relationships the family had with neighbouring families. In the late 1390s, during the dispute between Angus and Douglas, Preston and Sandilands were part of the southeastern coalition supporting Angus.[30] The Prestons appear occasionally alongside the Sandilands at later dates as well.[31]

John's activity had a strong correlation with the accessibility of Crown patronage. Before 1346 and after 1357 he was focused on cultivating links to David II and did not pursue consistent links with other noble families. David II's post 1357 pattern of patronage with the main objective of creating a predominately lowland

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[27] Penman, *David II,* 177-8; *RRS-David II,* no. 129; GD124/1/1121
[28] Fraser, *Douglas,* iii, no. 292, 320
[29] Penman, *David II,* 211
[30] M. Brown, *Black Douglases,* 90
[31] GD119/165

affinity of minor nobility has been remarked upon, especially in Penman's work.[32] This cultivation of direct links to minor noblemen of local or quasi-regional standing is similar to that occurring in England during this era and the ambition of the English Crown to create a new polity centred on a partnership between the Crown and local society as opposed to regional magnates.[33] This was unlikely to have been deliberate mimicry, but does indicate the general trends in government at the time.

John appears as a royal charter witness but also, more significantly, as a member of the king's diplomatic entourage. In 1359 John, along with the earl of Mar, Robert Erskine and Hugh Eglintoun, were with the king during his London visit.[34] In 1360-1 John was a member of the proposed formal embassy to Edward III alongside the earl of March, Robert Erskine, the bishop of Brechin and the archdeacon of Lothian.[35] These two appearances suggest that his value to the king was partly based on his diplomatic skills. His usefulness to the Crown was multi-dimensional; he was more than a household knight. In 1361 he and Roger Hog were paid for the construction of a well along with other repairs to Edinburgh castle.[36] Hog had been previously employed by David II for construction on the castle and supplies; he was also a frequent trader with England after 1357 and part of the group of minor Lothian men in the favour of David II in 1361-2.[37] Hog was also associated with Douglas, from whom he had a grant of land in 1356. This grant was also witnessed by John.[38] The partnership of the two men reveals the local connections used by the Crown, the range of people and experiences needed for efficient government.[39]

John's Edinburgh activity reinforces his association with David II's plan to emphasize royal authority by developing the castle as a royal seat.[40] For the Prestons it is also the first definitive evidence of an active relationship with Edinburgh specifically, rather than simply the southeast. The family's presence in Edinburgh

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[32] Penman, *David II,* 201-3, 266, 272
[33] Coss, 'Bastard Feudalism Revised', 47-53
[34] *Cal. Docs.*, iv, no. 27
[35] *Rot. Scot.*, i, 851a, 853b; Penman, *David II,* 250n23, 257
[36] *ER,* ii, 83
[37] *ER*, ii, 78-9; *Rot. Scot.*, i, 855a; Penman, *David II,* 220, 260, 266
[38] Fraser, *Douglas*, iii, no.20
[39] Service is a mutually beneficial relationship: there is a tacit acknowledgement that the servant is either better placed or more knowledgeable in regards to the job at hand, he may also be more influential in regards to personal contacts. Horrox, 'Service', 65
[40] Penman, *David II,* 266

grew quickly: in 1358 David II granted John two tenements and an annual rent on another. These properties were in the Crown's hands by reason of forfeiture and escheat, but, as with the properties in Fife and Perth, they were granted by to John, notwithstanding the council revocation on such grants.[41] John also had contact with a number of burgesses. These associations may have developed out of his role at court alongside his local role as a property owner in Edinburgh. In 1360 a debt of one hundred gold nobles which he owed to David II was paid by a transaction with an Edinburgh burgess, James of Edinburgh, who then paid the prominent burgess John Mercer of Perth, who was the deputy for the king.[42]

John's regular witness appearances for David II end in 1362, though he appears for a final time in 1366.[43] His son, Simon, was well established by the early 1360s. Simon's first two appearances are in association with John of Allincrum, a leading Edinburgh burgess. Simon's first appearance, *circa* 1360, was as a witness for a grant to Allincrum, named as a burgess, of the lands of Craigcrook in Edinburghshire. In this charter Simon was named simply as Simon Preston and was listed above the burgesses but was not a knight.[44] His second appearance was in 1362 as a witness for Allincrum's charter to St Giles of these same lands. Allincrum's charter was significant since the grant was to be used for masses for Robert I, David II, William earl of Douglas, his spouse and Archibald Douglas. The inclusion of the Douglases was recognition of their status in the region as the leading magnates.[45] Allincrum's awareness of the Douglas family was increased by his position as deputy-sheriff in Peebles, which forced him to work closely with the Douglases. This relationship must, however, be balanced with his position as an officer of David II. Allincrum was a royal clerk and auditor for the Exchequer and between 1358 and 1362 he was in David II's favour. His offices created contacts within the royal administration, as evidenced by the St Giles charter witness list which included both the royal chancellor and the chamberlain. This set of relationships was originally positive for all concerned. Allincrum had, however, the

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[41] Penman, *David II,* 202; *RRS-David II*, no. 171
[42] AD1/17
[43] *RRS-David II*, no. 357
[44] There is some uncertainty in this witness list; the punctuation is such that Simon could be placed as a burgess. *St Giles Reg.*, 7
[45] M. Brown, *Black Douglases*, 55

misfortune in the summer of 1362 to be caught up in the deteriorating relationship between Douglas and David II and Douglas may have been responsible for Allincrum's death before August 1362.[46] Allincrum's death may have weakened a network of Edinburgh, Lothian and Peeblesshire men; but it does not appear to have been seriously detrimental to Simon Preston whose status had risen during these two years. In the 1362 charter he was styled Simon Preston, lord of Gorton, suggesting that his father had transferred this property; additionally rather than being towards the lower section of the witness list, he was at the head of a secular group composed largely of Edinburgh burgesses and minor landholders, named after only the royal chancellor, the chamberlain and Edinburgh's vicar.

Simon's career was noticeably different from his father's. Although his position as sheriff of Lothian in 1362-68 indicates participation in the Crown administration, this was strictly at the local or regional level not that of the royal court.[47] He does not appear as a witness under David II, Robert II and Robert III. He was not out of favour: Robert II granted him the Craigmillar barony in 1374, and Robert III granted his brother, William, the lands of Wester Benyne; but he was apparently un-interested in court politics.[48] Furthermore, the family's regional activity also diminished after 1368; and there is no record of their involvement in the Border conflicts of the 1370s and 1380s.[49] Simon's regional activity was confined to the 1360s, which may suggest a lack of interest in close association with the courts of Robert II and III or it may reflect a redirection of his interest to pursuits outside of Scotland.

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[46] Penman, *David II,* 281

[47] By 1371 at the latest Sir Thomas Erskine was sheriff (*ER,* ii, 364) and probably earlier since Simon was in Prussia by 1370, which might suggest a change in 1369. If, as Penman suggests, Archibald Douglas was also sheriff in between Preston and Erskine, then Preston's tenure may well have been very short. However, the actual length of tenure and his successor changes neither the intent of his appointment nor the likely reason for his loss of the office. Thomas would then be replaced by the earl of Carrick.

[48] *RMS,* i, no. 455, 620

[49] The Sir Henry Preston who participated in the capture of the earl of Northumberland in 1388 was either unrelated or not a close relative; though the families may well have had contact, since Henry participated in the Border conflict and did travel to England in 1389-90 to visit the shrine of St Thomas Becket, the same year that Simon's brother William also had a safe conduct to England. *Rot. Scot.,* ii, no. 103a, 105b. Henry held lands in Aberdeenshire *RMS,* i, no. 801
However, a charter relating to the marriage of Henry Preston which was drawn up in Edinburgh in 1397 was witnessed by Walter Stewart of Brechin, Lindsay of Glenesk, Logan of Lestalrig, Crichton, Johnston, Ramorgny, Wigmer, Dalyell, Maxwell, Forrester, Towers and Strathavene. Considering the number of Edinburgh/southeast people (Logan, Crichton, Forrester, Towers) Preston's absence is curious. *RMS,* i, app.1 no. 157

Simon's actual level of influence on the local and regional level in the 1360s is very difficult to gauge accurately. He was named in 1364 as an Edinburgh burgess active in Anglo-Scottish trade, which places him in an elite group with regional contacts. The group of merchants, with which he appeared in safe-conducts of 1364, included Laurence de Chirnside, Richard Cotlord, Simon Preston, John Hog, Patrick de Ade, and Adam Reclinton.[50] Hog was, as mentioned above, prominent in Edinburgh. Reclinton, however, is the most interesting individual. He was from Dunbar and was closely associated with the earl of March, for whom he was steward. His few appearances suggest an individual with access to a wide network of people, many of them members of families appearing alongside the Prestons in later generations.[51] But this evidence for involvement in a social network does not necessarily translate to provable political or financial influence. Simon did not participate in transactions outside of his family, aside from the 1374 land swap with the Cappella family, in which he resigned land in Forfar which the king then re-granted to the Cappellas while William Cappella resigned sections of Craigmillar.[52] Instead, Simon appears as an occasional witness, a reasonably wealthy landowner and as an individual financially capable and interested in the crusades in Prussia. In 1369-70 he was in Königsberg, probably with men from his own following, since one of the tenants in his barony of Gorton resigned land to him while they were in Prussia.[53] This, combined with his lack of appearances at the royal level or with magnates, makes his actual influence at the local level difficult to assess, assuredly not a unique problem; in this case circumstantial evidence hints at potentially greater local involvement than is apparent in the record.

Simon was valued by David II in the early 1360s when tension between the Crown and the major magnates was at a high point. He was among the men, primarily minor nobility of the east, whose service David II paid for in 1363 and may

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[50] *Rot. Scot.,* ii, no. 883b
[51] *RMS,* i, no. 152, 160, 187, 265, 280, 521
[52] GD122/1/143
[53] RH1/2/130
The date of this document is unclear. It has been suggested that it was the 1380s, but either date is possible. If so it is not directly connected to his absence from the Scottish record in 1370, but remains pertinent in all other respects. Pers. Comm with Steve Boardman.
A possible familial connection reappears in conjunction with the Scottish expedition to the Baltic in 1390: Laurence Preston and David Pullay, named as a burgess of Edinburgh, gave William Douglas of Nithsdale, Robert Stewart of Durisdeer and William and James Douglas of Strabock a loan in Bruges AD1/27; Ditchburn, *Scotland and Europe*, 70

have travelled to England on the king's behalf the next year, though this latter evidence, the above-mentioned safe-conducts naming him as a burgess trading, need not have been relevant to anything beyond his personal business.[54] His position as sheriff of Lothian cannot, however, be ignored. Overall his appearances as sheriff support the image of a man reliant upon royal favour for his office and not closely involved with the greater magnates. The two grants in which he appears are by Malcolm Fauside to Alexander Cockburn and a marriage agreement between Alexander Lindsay, lord of Ormiston, and Alexander Cockburn on the marriage of their children. In both of these Simon appears as a witness, but his appearance is remarkably far down the list of witnesses and in neither case is he even at the top of the list of individuals who are not knights, which could reflect either a decline in relative status or simply that he was only at the start of his career.[55] However, his list position may be illustrative of one of the issues concerning medieval administrative posts. The post did not necessarily confer a pre-determined status or ability to deploy force in and of itself. Rather the individual's effectiveness in that post was determined by his own status and, in particular, by his connections. Given-Wilson notes this in his studies of the English nobility:

> There were no career structures in the modern sense. Jobs in royal or noble administration, military commands, positions in local government, or at court, or in a lord's household, were dependent primarily on personal connections. This is not, of course, to say that merit was not rewarded, but without connections a man with ambition was unlikely to get into a position where his abilities would be noticed. That lords deliberately, and usually successfully, advanced careers of their supporters is beyond doubt.[56]

Simon's attainment of the office of sheriff must be placed in the larger context, firstly, of David II's attempts to build an affinity in the south-east independent of those of either Douglas or March; and, secondly, the expansion of Douglas influence in and around Edinburgh. The office of sheriff of Edinburgh was

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[54] *Rot. Scot.*, ii, no. 883b; Penman, *David II,* 289, 328

[55] Fauside list: Patrick Earl of March and Moray, Walter Haliburton, Thomas Fauside, Patrick Hepburn (militi), John Sinclair Lord Herdmanston, William Maitland, Simon Preston sheriff Edinburgh, Adam Nesbit, William Fauside *RMS,* i, no. 231
Lindsay list: Abbots of Holyrood and Newbattle, Lord Archibald Douglas, James Douglas, Walter Haliburton, George Abernethy, Patrick Hepburn, Alexander Haliburton (militi), John Sinclair, William Crichton, Simon Preston sheriff Lothian, Alexander Reclinton, Adam Nesbit, Thomas Hoppringill, John Spottiswood *RMS*, i, no. 280

[56] Given-Wilson, *The English Nobility,* 171-2

not a stable position in the 1360s. There was fundamental administrative confusion in regard to its territorial size and capacity: the name Edinburgh and Lothian were both used for its title and it overlapped with the, theoretically distinct, office of the constable of Edinburgh castle. In the late 1350s both offices were held by the earl of Douglas, and may have been used to place pressure on David II.[57] From 1360 until David II's death, the position of sheriff seems to have been passed between various household knights. Between 1360 and 1362 Sir John Lyle of Duchal may have held the office; he was, like Ramsay and Preston, a household knight who shared the interests of the king, in particular the interest in chivalric, crusading ventures. In 1360 David II had been able to replace the earl of Douglas with Duchal as the keeper of Edinburgh castle; and it is possible that the king seized the opportunity to remove the earl from the office of sheriff at the same time.[58] The appointment of Simon may have been an attempt by David II to replicate the style of the earlier appointment of William Ramsay of Colluthie, sheriff between 1342-6; Ramsay may have been briefly reinstated as sheriff in 1362 after the loss of his earldom of Fife.[59]

In regard to the king's interests, Simon was the ideal candidate for the position: the family was consistently loyal to the Crown, and it had close connections and landed interests in Edinburgh (something Duchal in particular lacked) but had few connections to Douglas and March. It was the last qualification that was problematic. The Prestons' dependence on the Crown as their primary source of patronage was beneficial during the period when the magnates were considering outright rebellion. As long as David II's policy in the region depended on connections directly to the lower levels of the nobility, Simon was an asset. However, when David II's policy turned towards reconciliation with various magnates, especially Douglas, this lack of contact with the men situated between Simon and the Crown was a liability for both parties.[60] It was more beneficial for the king to recruit the Douglas kindred, in particular Archibald Douglas, lord of

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[57] Penman, *David II,* 228, 237
[58] Penman, *David II,* 237; An opposing view is given in M. Brown, *Black Douglases,* 55
[59] Penman, *David II,* 267
[60] In structural terms this was the tension between the king's need for effective government, his need to be responsive to the magnate's request for an office and the local community's demand for an individual invested in the community and not solely a retainer of either the magnate or the Crown. Saul, *Knights and Esquires,* 109

Galloway, who had given him crucial support in 1363.[61] In the king's ongoing struggle both to control and to avoid permanently alienating the magnates, individuals closely connected to the magnates were of greater use, even if they brought with them potential political embarrassments. David II's direct intervention in an inheritance dispute between Thomas Erskine, who claimed lands previously held by his late wife, the daughter of Douglas of Liddesdale, and Sir James Douglas in 1368 was almost certainly due to concern that the affinity he was establishing would be fractured unless he intervened.[62] Erskine's links to the Douglas family, even if they were contentious, were sufficiently valuable to merit the king's involvement. Erskine was also, by 1370, the sheriff of Edinburgh. In contrast, Simon Preston was, in 1370, in Prussia and well out of the immediate Scottish scene.

This shift from involved regional agent to relative disengagement cannot be assumed to have been solely due these political changes. Other unrecorded factors must be considered too. Personal motivations and desires may well have played just a role in Simon's decision to go on crusade. Simon's interest in the various popular expressions of personal piety dates from at least November 1364 when he, along with several other individuals, applied for a safe conduct to go on pilgrimage to Amiens.[63] Although outside of politics, this activity did not isolate him socially. Alongside Simon in Prussia were Abernethy, Towers, Edmonstone, and John of Monymusk, probably gathered for one of the near annual expeditions.[64] These expeditions were popular amongst western nobles interested in the chivalric ethos in the fourteenth century and drew French, English, Flemish, Scottish and Italian nobles. Königsberg was a nexus for the international chivalric society.[65] These northern crusades encouraged the chivalric ethos but were also as a practical training ground in the profession of war. For the men from southeast Scotland the tactics must have been familiar: wintertime hit and run raids aimed at looting and devastating a territory and larger summer raids with the objective of securing

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[61] M. Brown, *Black Douglases*, 57-9; Grant, *Independence and Nationhood,* 177
[62] Penman, *David II,* 275-6
[63] *Rot. Scot.*, ii, no. 886b
[64] Ditchburn, *Scotland and Europe*, 69
[65] Kaminsky, 'Estate, Nobility and the Exhibition of Estate in the later Middle Ages', 707

territory but retaining a fast tempo.[66] Participation in the Prussian crusades introduced individuals to a larger noble community and allowed a useful professional exchange of ideas as well as an expression of faith. Such an undertaking expanded ties and strengthened pre-existing ones: the 1369-70 party had close social ties in the southeast with connections to all three earls and a recent history of service under David II.[67] Although Simon was not a politically active individual, the influence of such social connections and shared interests cannot be dismissed. These social connections help to explain the grants of Craigmillar to him by Robert II; unlike David, II Robert II was not interested in building an affinity of Lothian knights, but he did have a vested interest in ensuring that individuals such as Simon did not form a network of alienated individuals. Simon's later career had certain similarities with another southeastern family, the Edmonstones.[68] The shared connections, both political and social, with Edmonstone included other members of the family: in 1390 William Preston, Simon's brother, Archibald Edmonstone and William Dalzell were part of a large group on pilgrimage to Amiens.[69]

In the later decades of the fourteenth century Simon's personal piety was focused on a less active expression of faith. In 1379 he was granted a papal indulgence for a plenary remission of sins.[70] A series of transactions concerning his endowment to the chapel of the Blessed Virgin Mary in the church at Musselburgh, a burgh in which the family owned land, illustrates his involvement in the local community.[71] The river Esk only silted up in modern times and it was navigable as far as the Old Bridge, making the town a true harbour town.[72] It is tantalizing to speculate that the Prestons' stake in Musselburgh gave them direct access to alternative local or regional water trade routes, without passing through Leith. The

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[66] See: E. Christiansen, *The Northern Crusades: the Baltic and the Catholic Frontier 1100-1525* (London, 1980), 164-7; N. Housley, *The Later Crusades* (Oxford, 1992), 340-3

[67] Abernethy, for example, had been granted land by David II in early 1369: *RMS,* i, no. 287

[68] See Edmonstone section of Minor Nobility, 263-271; *RMS,* i, no.455, 620, 714 for Craigmillar; *ER,* ii, 435, 458, 459, 553, 555 for Edmonstone

[69] *Cal. Docs.,* iv, no. 412
Also in Simon's Preston's group was Sir John Dalzell, the earl of Moray and Sir John Maxwell. Archibald Edmonstone and William Dalzell were among the Scots active in the tournaments in the 1390s: in 1398 Edmonstone fought a tournament at Berwick against the English knight Robert Morley; Dalzell was with the earl of Crawford in England in 1390.
Bower, *Scotichronicon,* viii, 11, 15

[70] *CPL-Clement VII,* p27

[71] GD122/1/147; the vicar of Musselburgh was a witness for a Preston grant in 1395: GD/122/1/146

[72] Graham, 'Archaeological Notes', 255

Prestons' Musselburgh endowment is similar to the behaviour of the other landowning families associated with Edinburgh at this time, with the Logans building Restalrig chapel and the Forresters' Corstorphine church.

In July 1384 John Haliburton gave Simon permission to alienate the lands of Cameron, Edinburghshire, to the Musselburgh church; and it is likely that it was this endowment which was the subject of a 1394 settlement to arrange the precise method of payment.[73] This 1384 grant was witnessed by the earl of Orkney, Walter Haliburton, John Sinclair, James Sinclair and Henry de Hatley. This grant locates Simon in the politics of the 1380s, especially once his overall pattern of behaviour is considered. Both Haliburton and Orkney had the position, wealth and inclination to operate relatively independently in this period; the two families were closely connected to each other and maintained occasional links to the Crown and the earls of Douglas in the 1380s. In 1389, in reaction to the Douglas inheritance conflict, Haliburton briefly took a position which placed him in opposition to the earls of Angus and Douglas and the Crown when he, along with Drummond and the Sandilands, petitioned Richard II for protection of their Scottish lands. Orkney's connection to the Haliburtons was through his marriage to Haliburton's sister, but as small landowners interested in the elevation of their status the two families also shared a similar outlook and position in the political network. Haliburton was a feudal superior for the Prestons; while the Sinclairs, holding land in Duddingston, were their immediate neighbours.[74] It seems reasonable to suppose that Simon was connected to, but on the outer fringe of the group of Lothian nobility who were periodically involved in the larger affairs, but only as it interested them. Neither the Prestons nor the Haliburtons were heavily involved in Anglo-Scottish conflict of the 1380s.

Simon had several sons: Simon, George, John, Andrew, and Alexander. Simon was granted land by his father in 1395, but vanishes from the record. The elder Simon disappears some time after 1395; the next active Preston of the main line was George, who by 1406 held Craigmillar and Gorton. During this interval the only major activity was that of William, the brother of the elder Simon. He went on a

[73] GD122/1/144; GD122/1/145
[74] GD32/21/1

pilgrimage in 1390;[75] and in 1399 Robert III granted him the lands of Wester Bynning, of which his branch of the family styled themselves 'lord'. These lands, like those of Craigmillar for Simon, were held directly from the king. William was at the battle of Humbleton Hill in 1402, where he was taken prisoner.[76] His appearance here is the last clear demonstration of the family's martial prowess. The two branches of the Preston family remained close neighbours in the early 1400s. William had land in Edinburgh, as well as his lands of Wester Bynning which were in the Linlithgow constabulary.[77] He also appeared alongside his nephew George on at least one occasion, and during the 1420s confirmed the claims of another nephew, Andrew.[78] William died in 1432 and his son Robert gained his lands in Linlithgow.[79]

The Prestons did not appear with any frequency in the company of Robert III, Albany or Douglas in the early 1400s. Their appearances, aside from William's at Humbleton Hill, were exclusively local; both George and his successor and brother John were rarely direct participants in the political scene. However, some conclusions about the family can be drawn. In 1406 George was a witness for a charter by John Forrester to his brother Thomas.[80] This charter, issued at Corstorphine, also marks John Forrester's first appearance following the death of his father. John had inherited his father's high ranking position in the royal administration, and this is may explain the presence of the bishop of Aberdeen, who was chancellor, as a witness to an otherwise minor land grant; the other witnesses were William Lauder, archdeacon of Lothian, George Preston, William of Liddesdale and the Edinburgh burgesses William Currour and Duncan Rollo, both of whom were associated with the Forrester family. This charter is one of the few indications of direct contact between the Prestons and the Forresters despite their geographic proximity, illustrating the problem with assuming anything certain on the basis of geography alone. Furthermore, the contact between the Prestons and Forresters may have been strongest under George; one of the few other pieces of evidence for it is

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[75] *Cal. Docs.*, no. 412
[76] Luttrell's Mss, p77-8
[77] This Linlithgow connection may be evidenced in a 1430 charter in which there is a William Preston as witness; this record of a lease in Linlithgow was sealed with the seal of James Parkle, a leading burgess and associate of the Crichtons, however, the obscurity of the rest of the witnesses does seem to suggest that it could be a different William Preston. AD1/43
[78] AD1/35; GD78/1; GD122/1/147
[79] Fraser, *Haddington*, no. 292
[80] *RMS*, i, no. 885

George's presence on a witness list for a 1395 charter issued by John Hamilton and re-granting land in Linlithgow to Adam Forrester.[81] Similarly, there is little evidence to show any connection between the Prestons and the Logans, though here the rivalry inherent between Leith and Musselburgh may have been a factor.

The Prestons cultivated ties in and around Edinburgh. In particular they developed a relationship with the Crichtons. In 1410 both George and William were witnesses for a grant by Sir John Crichton to his brother; the witness list also included two other familiar names: Sir William Abernethy of Salton and Sir John Edmonstone.[82] The Preston-Crichton connection was probably strongest through the cadet branches of the two houses. Edward Crichton, either a brother or a cousin of William Crichton and active in the 1420s, was the bailiff of Musselburgh in 1420 and a witness for Preston charters. Crucially, Edward granted John Preston of Loganraw, a cousin of the Craigmillar line, land in 1436. The Crichtons' presence in Musselburgh was not the only geographic point of contact; in 1432 Stephen of Crichton was sheriff of Linlithgow and as such responsible for settling William Preston's estate. Three members of the Crichton family, including Sir Robert Crichton, appear as witnesses for the inquisition in 1442 that judged William Preston, John Preston's son to be of age, when the Crichtons were at the very centre of the dispute over the control of the Crown.[83] Unlike the Forresters, the Prestons' association with the Crichtons included geographic proximity, legal necessity and transactions concerning land. This relationship was useful for both families. Under James I the Crichtons rose to have considerable influence through the holding of various offices in the Linlithgow-Edinburgh region and as Crown agents. They did not, however, have extensive lands and their relatively rapid rise meant that they were not well integrated into the existing network.[84] In consequence, links to established families such as the Prestons were necessary for the effective deployment of the power they theoretically held in their offices. For the Prestons the reciprocal

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[81] Mss Hamilton p15 no. 8
[82] GD78/1
[83] GD122/1/147; Fraser, *Haddington,* no. 292; GD122/1/148
[84] Crichton was an ambassador to Norway in 1426: *Danicae* 2nd ser. I, no. 4765. By the early 1430s he was Master of the King's Household. Crichton's son was knighted in 1430 at the birth of James II: Bower, *Scotichronicon,* viii, 263

nature of such links ensured that they remained cognizant of changes in the royal administration.

It is undeniable that the Prestons were increasingly obscure in the first half of the fifteenth century. Although James I's style of government created opportunities for the advancement of a number of lesser families, there is no indication that the Prestons took advantage of this. Nor do they appear to have been involved with the regional nobility. They were, however, connected to the local Edinburgh administration. Sir Henry Preston of Craigmillar was provost and sheriff in 1434-5. His relationship with the family is obscure. His name implies that he was of the main line, although other documents imply that the barony went from John to William with a minority during the 1430s. A Sir Henry Preston does appear in the Armorial de Gelre, which could tentatively associate him with the Prussian crusade of 1389, under Douglas of Nithsdale; but the length of time and lack of any other contact makes a connection between the two individuals improbable.[85] If Henry was closely connected to the family, his position as provost was an important change in the family's relationship with the burgh council. This position was not, unlike that of sheriff or custumar, a royal appointment imposed on the town. Instead it was an appointment made by the town council from below. Another Preston consistently in the town administration was Thomas; he served as baillie in 1428, 1437-9, 1445 and 1452, and was deputy-sheriff in 1454.[86]

During the reign of James II there was a concerted campaign by the family to re-emphasize its local status with a massive gift, composed of the armbone of St Giles and the backing to build an aisle, to St Giles of Edinburgh. This was coordinated by William Preston, John's son, and William's son, another William. This gift to St Giles firmly established the family's connection to Edinburgh at a level which had not been seen in several generations. It also presented the family as being at the leading edge of social and cultural fashion in western Europe during this period, as St Giles was reputed to have Greek connections which were then culturally and politically fashionable.[87] In 1453 the decision to expand St Giles was

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[85] Stevenson, *Chivalry*, 105; A.H. Dunbar 'Facsimiles of the Scottish Coats of Arms Emblazoned in the "Armorial de Gelre", with notes', *PSAS 25* (1890-91), 9-19

[86] *Edin. Recs.*

[87] I. Campbell, 'A Romanesque Revival and the Early Renaissance in Scotland, c.1380-1513', *Journal of the Society of Architectural Historians* 54 (1995), 302-325 at p. 309

undertaken. The renovation of the choir recorded for posterity the arms of James II, Mary of Gueldres, France, James III as heir, Edinburgh, the treasurer Halkerston, James Kennedy, bishop of St Andrews, and Preston of Gorton (Craigmillar), and the two provosts, Cranston and Napier of Merchiston on the piers of the choir.[88] Shortly thereafter in 1454-5 the second William Preston entered into a bond with Edinburgh to found the Lady Aisle of St Giles in memory of his father William who had died in 1453.[89] However, aside from this the family was not active in politics beyond the burgh. This may have been due to the minority in the Craigmillar line: John died in the 1420s, and William was a minor until 1442.[90] The other branches of the family were equally quiescent, suggesting that the family, as a whole, was not interested in the political scene. Nonetheless, they were financially successful in this period, as demonstrated by their building works at St Giles and Craigmillar. These architectural works were assertive demonstrations of the family's wealth and status. Building works, as Watson has noted, were expressions of established power and not the means by which power was obtained.[91] This disparity between the political evidence and the social evidence serves as a cautionary note on assumptions made concerning a family's location in the political and social networks.

The Prestons illustrate the complexity of both the social and political structures in late medieval Scotland. Their position as mid-level nobility made them useful as links to the local society, but politically vulnerable if the need to cultivate relationships with the magnates outweighed the Crown's desire for close local oversight. Equally important is, however, that while their political activity initially helped to create their social position, their social status was not dependent on continuing activity at regional or national levels. Once established, with links to the surrounding burghs of Edinburgh and Musselburgh, the family was sufficiently wealthy that it could retain a prominent role in local society without engagement in the greater political or military concerns. This was a pattern that was followed by

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[88] Hay, 'Late Medieval Development of St Giles', 242-260
[89] GD122/1/151; Hay, 'Late Medieval Development of St Giles', 250
[90] GD122/1/148,GD122/1/150
[91] Watson, 'The Expression of Power in a Medieval Kingdom' 61-2; Jones, 'The Material Rewards of Service in Late Medieval Brittany', 128

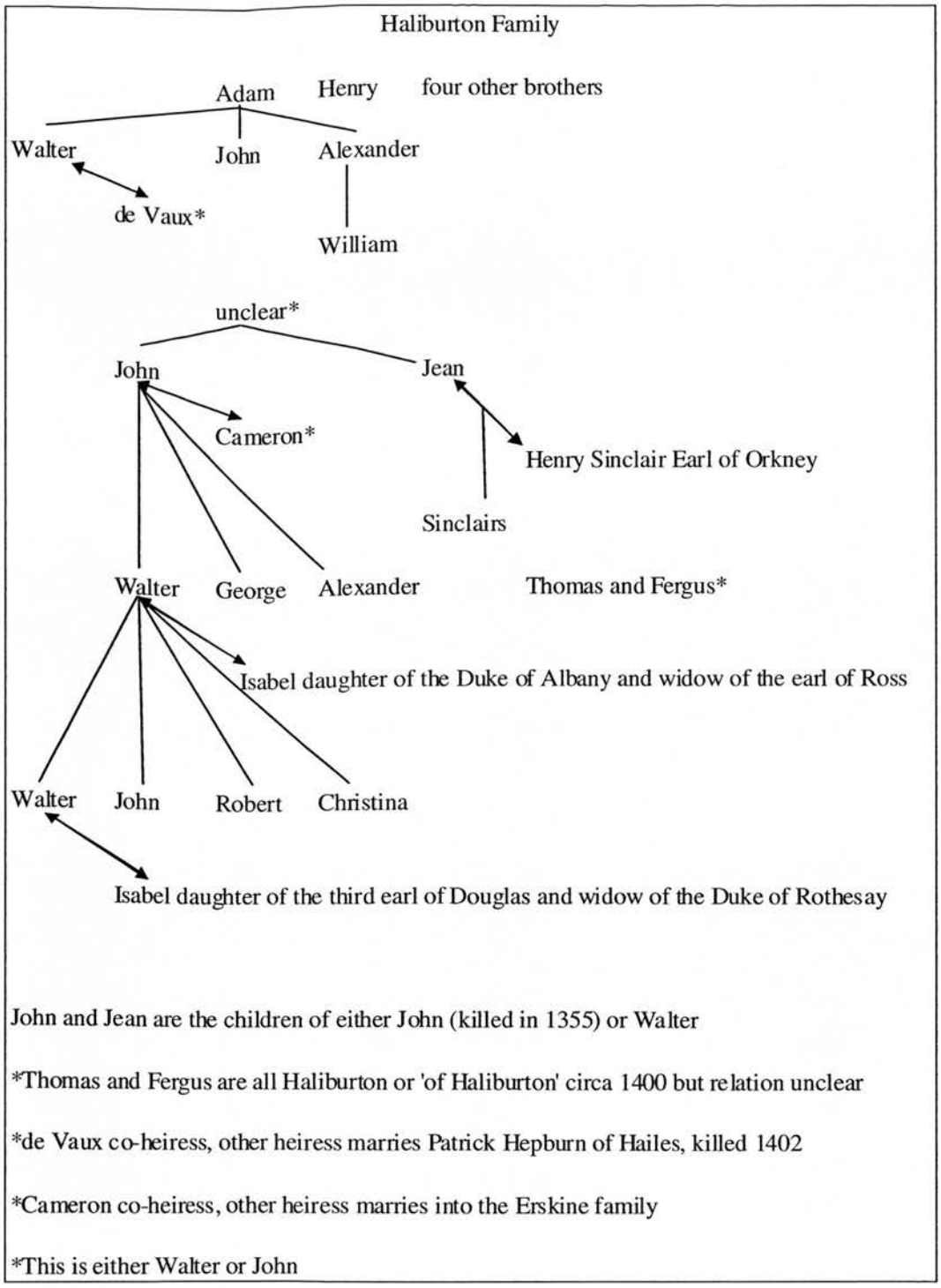
other similar families, such as the Forresters or Logans of Restalrig. It suggests that success could be measured by criteria other than political prominence.[92]

[92] Both of these families play little role in the politics of the mid-fifteenth century, but their building projects demonstrate their disposable income.

Haliburton family:

Southeastern Scotland in the late Middle Ages offers good opportunities for studying the upwards mobility of the second rank nobility in families such as the Forresters or Sinclair earls of Orkney. An equally intriguing aspect of this phenomenon is its flip side: families who had attained high social status, but then stabilized or declined. One of the families whose status stabilized was the Haliburtons, who can be seen as the archetype for the second tier nobility in the late 1300s.[1] A fairly independent family, whose landholdings were primarily held directly from the Crown or originated in successful marriages to heiresses, they cultivated multiple connections amongst families of their own rank, the magnates and the Crown. They maintained a consistently high profile from David II's reign into the Albany government, but after that their court activity declined, aside from a brief increase in prominence created by an individual holding a specific office under James II. This reduced profile may have resulted from the conditions of the Albany regency; it was, however, also a reflection of the family's sphere of activity. Although figuring frequently in witness lists and military actions, the Haliburtons rarely appeared in formal administrative positions. Unlike the Prestons, Forresters or Herdmanstons, whose profiles were raised through economic and administrative connections created by specific individuals, the Haliburtons' regional status depended on landowning, and in all probability, a widespread kin network, considering the tendency of multiple Haliburtons to be present at important meetings.

[1] They held seven baronies and numerous lands by 1389, and were by any consideration important landholders. They rank as 'greater barons' according to Grant's definition: 'The third division {following earls and provincial lords}, which is less clear cut, distinguishes those barons (the majority) who hold only one or two baronies from those who held appreciably more and were presumably lords of above-average importance'. Grant, 'The Development of the Scottish Peerage', 1-2



The Haliburtons were one of the foremost southeastern families in the 1330s, along with the Prestons and Ramsays. At this time they were not associated with Dirleton, which would become their main residence by 1360, and were mainly a

Berwickshire family, although they had Edinburgh lands.[2] At this time the family was led by two brothers, Walter and John.[3] Although Walter may have been the elder, John was the more active of the two in the 1330s, appearing in both chronicle and English records in direct connection with the ongoing warfare.[4] The association of knights lead by Ramsay, Haliburton and Preston also included the Herrings, Herries, Dunbars and Dishingtons; all of whom apparently had some connection with Haliburton. The exact relationship is obscure; a passage in Bower implies some form of geographic or familial connection: 'Therefore young squires attached themselves to him (Ramsay), as well as their cousins of Haliburton, namely the Herrings, Herries, Dunbars and Dishingtons.'[5] The actual vill of Haliburton, in Berwickshire, had been in the family since at least the late 1100s; in the 1330s it paid its castleward to Dunbar, translated briefly to Berwick.[6] Bower's reference can be seen as referring to the men of that Berwickshire area, which would include the Haliburtons. John's stance against the imposition of English rule in this period had repercussions: in the English valuations of 1335-7, the land was described as forfeited and as waste.[7]

Because of the family's Berwickshire location, it is unsurprising that its first magnate connections were with the earls of March. A 1342 charter by the then earl of March was witnessed by Ramsay, Gordon, Henry de Haliburton, Edward de Lethe and Robert Lauder, the seneschal of the earl.[8] The appearance of a Haliburton in this company makes sense, given both the geography and the role of families such as Ramsay and Gordon in Anglo-Scottish warfare. The family's next military appearance was at Neville's Cross, where Walter and his brother Alexander were captured. By this time, Walter had been the recipient of several land grants by David II, including lands outwith Berwickshire in Kinross and Strathearn, setting the foundation for the family to have a much larger influence within Scotland rather than remaining confined to their role on the Borders. Several of these grants were

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[2] *Rot. Scot.*, i, 26b, in 1296 the family had lands in both Edinburgh and Berwick shires
[3] SP iv, 332
[4] Bower, *Scotichronicon*, vii, 109; *Cal. Docs.*, iii, no. 325, 370
[5] Bower, *Scotichronicon*, vii, 148, 240n9
[6] *Kelso Liber*, i, 222; *Cal. Docs.*, iii, no. 324, 369; SP iv, 330
[7] *Cal. Docs.*, iii, no. 324, 325, 370
[8] *Melrose, Liber*, ii, p396
This was probably the same Robert Lauder who was justiciar of Lothian in 1340: *Yester Writs*, no. 42
Henry was probably an uncle of Walter and John. SP, iv, 332

available due to forfeiture; Walter was an immediate beneficiary of a strong royal presence and active patronage.[9]

There is some discrepancy over where and when, exactly, Walter was captured. Bower lists him amongst those captured at Neville's Cross, as does one of the English records.[10] Yet another notation in the English records states that he and William Ramsay were taken prisoner in January 1347 on the Scottish Marches. The confusion is probably generated by the fact that Walter was released in both 1348 and 1349 to travel to Scotland with the understanding that he would return to England.[11] At any rate, it is clear that Walter was a prisoner in the Tower of London and Windsor from early 1347 to May 1350.[12] In 1349 he was amongst the group promised its freedom if it swore an oath to not take up arms against the English. Interestingly this group also included William de Vaux, the family into which Walter would marry, a marriage from which he would gain the Dirleton estates.[13] As late as 1353 Walter was still named as a prisoner, but paroled to travel to Scotland. The difficulties inherent in this parole system are demonstrated by the last notation concerning him in 1356. Walter, along with the other two men with whom he frequently appeared in the English record, David Annan and Andrew Campbell, had privately arranged an exchange with a Scottish prisoner, Thomas de Beaumont. Having procured Beaumont's liberation they considered themselves free of any obligation to Edward III, a state of affairs unsuccessfully contested by the English king.[14] Aside from this private agreement, Walter seems to have held to his oath to not take up arms against the English. This oath did not, however, apply to the entire family. John Haliburton, Walter's brother, who seems to have been the more prominent in military affairs, continued to be leader of raids in England until his death in 1355 at Nesbit Muir; Fordun succinctly summed up his career, stating that he: 'had always given the English great trouble.'[15] Walter, on the other hand, was an

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[9] *RMS,* i, app.2 no.809, 1042, 1058
[10] *Rot. Scot.,* i, 678a,b includes both Walter and Alexander on the list; Bower, *Scotichronicon,* vii, 261
[11] *Rot. Scot.*, i, 715a, 729a,b
[12] Bower, *Scotichronicon,* vii, 261; *Cal. Docs.*, iii, no.1481, 1491, 1496, 1517, 1536, 1548
The reward given for Walter's capture in 1346 was the same, 400 marks, as it had been for Adam a generation earlier when he was captured by Bruce.
[13] Penman, *David II,* 152
[14] *Cal. Docs.*, iii, no. 1624
[15] *Chron. Fordun*, ii, 362

active diplomat for David II throughout the latter half of his reign, a graphic illustration of the possible variety of political attitudes and roles held within a family.

Some confusion over Walter's movements in these years is generated by these repeated paroles; but this ability to travel repeatedly between the two countries gave him the opportunity to display his diplomatic abilities on behalf of both David II and William Douglas. In May 1350 Walter and David de Annan, also closely associated with David II, came to a diplomatic agreement with Edward III. The arrangement was a reiteration of the 1349 agreement that they would not bear arms against Edward III or his subjects and would return to captivity by Candlemas following. Additionally, the two men were bound for 500 marks to secure the release from chains of William Douglas, the elder, then held at Nottingham.[16] This is the first definite evidence for some form of connection between the Douglas and Haliburton families. It was probably pre-existing, given the movement of Douglas into Lauderdale and Teviotdale; but this specific arrangement suggests a closer social relationship than might otherwise have been suspected. This seems to have been a personal alliance not motivated solely by patronage, since there is little indication of any Douglas patronage for the Haliburton family, although it does suggest Walter's regard for Douglas as a greater lord.

Walter's main area of concern, however, remained the negotiations for David II's release. He was listed alongside William Livingstone, Robert Erskine, Douglas of Liddesdale and David Annan in the safe-conducts issued in March for the negotiations to be held at Hexham later in 1351.[17] He remained supportive of David II even following the fragmentation of the king's supporters in 1352, as is evident by the major grant made to him in 1353.[18] This grant of the barony of Bolton was included in a set of royal grants to supporters whose efforts for the king included participation at Neville's Cross and ongoing negotiation on behalf of the king in the following years. It is interesting to speculate on the Haliburtons' role in 1352. David II's exact route while on parole that year is not known. The logical routes for his re-entry were Liddesdale, Annandale or the earldom of March;[19] if it was the

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[16] *Cal. Docs.*, iii, no. 1548, 1549

[17] *Rot. Scot.*, i, 740a; For the proposal, which would have installed a younger son of Edward III as heir presumptive to David II, and the opposition of the Dundee parliament see: Penman, *David II,* 161-6

[18] *RRS-David II,* 126

[19] Penman, *David II,* 170

latter, the Haliburton family, given their geographic location and status, would almost certainly have been present. Walter may have been amongst the group of minor nobility, including Thomas Bisset, David Annan and Andrew Campbell, who having gained their freedom by swearing never to take up arms against England were able to travel easily and were the primary contacts for David II from late 1352 into 1353 on an unofficial basis.[20]

Walter's career strongly suggests that his attachment to Douglas in the early 1350s was a practical, but temporary, deviation from his primary source of patronage, David II, or, indeed a possible furtherance of it as Douglas, at that time, was also supportive of the king. His relationship with Douglas and March existed as a secondary position. The clearest expression of his loyalties came in 1363 during the rebellion of Douglas and March, in which he supported the king. He was amongst the large group of southeastern minor nobility paid by David II in 1362-4, as part of the king's policy to outflank March and Douglas, and was a royal charter witness during the summer of 1363.[21] In 1363 Douglas attacked Dirleton castle, at that time in the king's hands as a ward and holding a royal garrison.[22] Douglas' other main target in the region was William Ramsay, to whom Haliburton had social connections, and who, like Haliburton, had lands in the regions controlled by March and Douglas.[23] It is possible that Haliburton had control of Dirleton at this time; it is certain that a few years later the de Vaux estates, which included Dirleton, came to the Haliburtons by way of marriage. Walter would have been the obvious choice of royal custodian for Dirleton in 1363, as he held the barony of Bolton and his brother, Alexander, held lands in Drem, both immediate neighbours of Dirleton.[24] Following David II's return Walter was a consistent royal witness. Significantly, he travelled with the court, appearing in Edinburgh, Perth and Scone, as well as consistently attending Parliament.[25] Consequently, he can be confidently placed as one of the

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[20] Penman, *David II,* 175

[21] Mss Mar and Kellie, ii, no. 8; *ER,* ii, 128; Penman, *David II,* 287-9

[22] *ER,* ii, xlix; *Scalacronica,* 202-3

[23] Ramsay granted land in the earldom of March in 1362: RH4/30/1; Ramsay and Haliburton probably knew each other in England, they were imprisoned and moved together: *Cal. Docs.,* iii, no. 1481, 1491, 1496, 1517; and as close supporters of David II would have remained associates.

[24] There is no definitive evidence that the Haliburtons held Dirleton in 1363, Scalacronica simply states that it was held by the king and had a royal garrison. *Scalacronica,* 202-3; see M. Brown, *Black Douglases,* 58; Penman, *David II,* 284; *SP,* ix ,102

[25] For Walter's appearances as a witness see: *RRS-David II,* ad indicem; *RMS,* i, ad indicem.

household knights of the king, rather than a local or regional nobleman who took interest in the royal court only when it was present in his region. Additionally, Walter continued his diplomatic efforts on behalf of the king, travelling to England in 1358, again with David Annan, and in 1369.[26] Such close attention to David II was rewarded. His barony of Bolton, first granted in the unsettled years of 1353-4, was confirmed in 1358. The family's holdings in the Borders were added to and other members of the family benefited. His brother, Alexander, was granted lands in Drem, resigned by William More, in 1357.[27]

Walter married the co-heiress of the de Vaux estates *circa* 1363; the other heiress married the younger Patrick Hepburn of Hailes.[28] Walter's marriage was one of the few land acquisitions by the Haliburtons in this period that was not by royal grant, although it did result from marriage to a royal ward. Unlike the majority of marriages which tie the individual into another social network, the de Vaux family was virtually extinct and was based in the region where the Haliburtons were already well established; consequently, the marriage could not augment the family's network. However, the fact that the de Vaux lands were in the southeast, where the Haliburtons were powerful, meant that gaining control of them was not an issue. Dirleton became the family's primary residence in the late 1300s under Walter's successor, John. It is probable that the expansion of the castle, which included a tower house and great hall, was begun at this point; the grandeur of this extension attests to the family's wealth and confidence in the latter part of David II's reign.[29]

Marriages to heiresses were economically beneficial, since they could bring large windfalls in property or annuities; and the Haliburtons were especially adept at this type of marriage. John, Walter's heir, married the co-heiress of Sir Cameron of Ballegrano in the 1370s; the other heiress married Nicholas Erskine, Robert Erskine's second son.[30] This brought the family the lands of Cameron in Edinburghshire. The next generation also pursued profitable marriages, with somewhat more complicated results: Sir Walter Haliburton married Isabel, the daughter of the duke of Albany, during 1402-06; and the other Sir Walter Haliburton,

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[26] *Cal. Docs.*, iv, no. 154; *Rot. Scot.*, i, 823b
[27] *RMS*, i, app.2 no. 1179, 1224; *RRS-David II*, no.154
[28] *SP*, ii, 138
[29] Tabraham, *Scotland's Castles*, 76-7
[30] *SP*, iv, 332-3

lord of Dirleton, married the duke of Rothesay's widow in 1403.[31] These two marriages were to widows rather than to heiresses, but they brought with them substantial claims to their previous husbands' holdings. They also embroiled the Haliburtons in the political disputes of that decade, a less pleasant result.

Walter was a member of David II's close circle of noblemen; he supported the king's aggressive approach to government, and quite possibly his anglophile policies.[32] In 1363-4 Walter was the sheriff of Berwickshire, a crucial position for David II's continued control of the area in the face of that year's rebellion. It is likely that the remission on wool customs Walter received in 1364 was in recognition of his service.[33] This position in Berwickshire meant that Walter was one of the key figures dealing with cross-border issues. In 1367 he was one of the Border commissioners at the meeting that drew up the Morehouselaw indenture, concerned with the settlement of Border disputes.[34] This indenture was intended to discourage the 'self-help' independent behaviour of border lords; and at least on the English side to structure and to give a stronger position for direct royal involvement in the region by creating a clearer judicial framework for settlement of disputes and claims.[35] Haliburton's position in the region and his history as a close associate of David II may have given him a prominent place in this agreement.

Although Walter, given his constant appearances at court, spent a considerable amount of time away from the southeast and his own estates, it is evident from his activities in the Borders region that he remained well integrated within the social network of the southeast during these decades. By the 1370s the Haliburtons had connections to all of the major nobility in the southeast. Part of this flexibility may have been due to the fact that the majority of their land was held from the king; they appear with the magnates, but they were not granted any appreciable amounts of land by them. Walter was probably the ideal model of what the king was attempting to create by his patronage of the minor nobility: he held land with access to a comprehensive social network, but owed his position primarily to the king's patronage.

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[31] *ER*, iii, 59; *SP*, iv, 334; *CPL-Benedict XIII*, 332
[32] See also Prestons for service to David II, 184-191
[33] *ER*, ii, 128; *RRS-David II*, no.319
[34] *Rot. Scot.*, i, 913b
[35] Neville, *Violence, Custom and Law*, 53

Between 1358 and 1372 Walter was a witness for a set of charters that record the period's power structure. The first, a charter by the earl of Angus to a minor landholder in the barony of Bonkill, gives relatively little information. The witnesses were the earls of March and Douglas, Walter Haliburton, Robert de Chisholm, Alexander de Montgomery, two Maitlands, and Cockburn. It is the only appearance of the Haliburtons alongside the earls of Angus until the late 1370s, while the appearance of Douglas confirms the occasional contact between the Haliburtons and Douglas outside of the royal court.[36] A more interesting grouping of men appears in a 1362 charter by William Ramsay. Ramsay had been increasingly marginalized from 1359 onwards and his claim to Fife had been lost to the Steward. This 1362 charter granting land in the earldom of March to Margaret Lasswade may represent a last attempt to reform his political following in the southeast.[37] The witnesses for this charter were a broad group: the abbots of Holyrood and Newbattle; Hepburn, Haliburton, Edmonstone, Alexander Ramsay, Herries, Cockburn and Recklington. The presence of Alexander Recklington gives rise to some tantalizing questions. He was a close follower of March, but in these years David II was also his patron. Edmonstone was another individual with double connections: he received patronage from both Douglas and David II. In the increasing political unrest that lead up to the rebellion of Stewart, March and Douglas in 1363, this grouping, especially since Ramsay and Haliburton would be attacked by the magnates the following year, looks suspiciously like an attempt to develop a political counter-balance.

In the mid to late 1360s Walter was a witness to another set of charters. The first of these was by Malcolm Fauside to Alexander Cockburn of lands in the constabulary of Haddington, witnessed by the earl of March and Moray, Haliburton, Thomas de Fauside, Hepburn, Herdmanston, Maitland, Simon Preston (the sheriff of Edinburgh), Adam de Nesbit and William Fauside.[38] The second was on the marriage of Lindsay of Ormiston's daughter to John Cockburn, Alexander Cockburn's son; this was witnessed by the abbots of Holyrood and Newbattle, Archibald Douglas, Sir James Douglas, Haliburton, Abernethy, Hepburn, Alexander Haliburton, Herdmanston, William Crichton, Simon Preston (the sheriff of Lothian)

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[36] Fraser, *Douglas,* iii, no. 22
[37] Penman, *David II,* 237n112; RH4/30/1
[38] *RMS,* i, no. 231

and others.[39] During the same time, Walter witnessed a series of charters by William Seton, lord of Seton and Tranent, a neighbour to the Haliburtons; these three charters were all to John Fauside and were witnessed by the bishop of St Andrews, the archdeacon of Lothian, Haliburton, Abernethy, Herdmanston, Maitland, John Wigmer and William Guppild, two Edinburgh burgesses.[40] In contrast to the narrow social strata, but wide geographic range, that is illustrated by the Ramsay charter witnesses; these charters are reminders that social groupings existed outside times of crisis or the self-selecting court groupings. Neither of the witness lists for these charters were dominated by March or Douglas affinities. Instead they record a group of active regional nobility who appear both beside and independent of the magnates and who cannot be legitimately placed in the affinity of any single magnate. This group, which includes Haliburton, Hepburn, Herdmanston, Cockburn, Preston and Maitland, amongst others, are witnesses to charters throughout the region in this period with almost monotonous regularity. This was a pattern which would continue in the 1370s, although subtle shifts start to occur in the middle of the decade.

After David II's death, Walter's association with the Crown continued for a short time. He re-appeared as the sheriff of Berwickshire in 1372, further evidence for his long-standing participation in the local political and judicial affairs of the region.[41] Considering the pivotal role that Crown agents, such as sheriffs, occupied between central, royal, power and local power, Walter's position of sheriff in 1372 indicates that he remained acceptable to the earls of Douglas and March, the local community and the new king, despite the Crown-magnate tensions evident in 1371. It may also suggest that Robert II felt no immediate need to remove officers of the Crown who had a long record of service to David II, assuming that they had given their oath of loyalty and thus there was no personal conflict with him. Local and central officers of the Crown often had careers spanning multiple regimes, even when those regimes changed violently. The career of Adam Forrester as deputy chamberlain during the reigns of Robert II and III is a classic Scottish example of the

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[39] *RMS*, i, no. 280

[40] GD1/402/1-3

It should be noted that the two Simon Prestons mentioned in the above charters are the same individual. This is an example of the unclear terminology regarding Lothian and Edinburghshire. See Geography section, 20-25

[41] GD436/1/7

value of an able administrator over-riding concerns of loyalty.[42] Walter's last appearance at court was the 1373 parliament and after this date there was a marked decline in his activity.[43] It is difficult to say whether the family's change in behaviour was due to the change of kings or to a change within the family. Given the tendency for able administrators to outlast regimes and the fact that Walter's career did not immediately end in 1371, the most likely scenario to explain the gradual tapering off of his activity is probably personal preference. Walter was apparently still alive until 1384, but from the mid 1370s his successor, John, was also active. The family's regional and local appearances were a continuation of its diverse early appearances; but its relationship with the Crown changed had now dramatically. Whereas Walter had been a member of David II's inner circle, John was rarely at court or parliaments. Part of this shift was perhaps generated at the Crown level. Unlike David II, Robert II did not cultivate the same court following of minor nobility. Consequently, families such as the Haliburtons were not the centre of attention or patronage. It is clear, though, that the Haliburtons were not actually out of favour. John received a gift from the king in 1376.[44] The impetus for the shift was a combination of factors: the change of reigns, the fact that Walter was at the least in his sixties and the gradual transference of responsibility to John.

John's first appearance in the southeast may have been in 1375, as a witness for a land resignation in Berwickshire to the countess of Angus.[45] The dating of this charter is problematic, since he is styled lord of Dirleton in it, but does not reappear as lord of Dirleton until 1384, while Walter was styled as such several times in 1377-79. The evidence suggests that while John was active in the mid-1370s, as demonstrated by the king's gift to him in 1376, Walter retained his role in local southeastern politics, and continued to appear as a charter witness in 1377-79.[46] Walter, styled lord of Haliburton, was a witness to grants by the countess of Angus to John Sinclair of Herdmanston; alongside Walter were Hepburn and Ramsay, both of

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[42] For the various tensions between the king, magnates and local communities regarding the appointment of officers: Saul, N. 109; for the issue continuity in the civil service: J. Catto, 'The King's servants', in Harriss (ed.), *Henry V the Practice of Kingship* (Oxford, 1985), 76; Chrimes, *An Introduction to the Administrative History of Medieaval England*, 189; Lander, *Government and COmmunity*, 186; Thompson, *Transformation of Medieval England*, 289

[43] *APS,* I, 185

[44] *ER,* ii, 526

[45] Fraser, *Douglas*, iii, 28

[46] *A.B. Ill.*, iv, 724; Mss Marchmont, no. 2; Mss Milne-Home, no. 582; *Orkney Recs.*, 24; *ER,* ii, 526

whom, like Herdmanston, were members of the pre-existing social network, there were also those associated with the emerging Douglas/Angus group of Lindsay, Borthwick and Lauder. The Haliburton connection to the Douglases had been dormant in the 1360s; but Walter, alongside members of the southeast community and Douglas men, had been a witness to a Douglas grant in 1372 at Castle Douglas, an expected appearance given Douglas' southeastern expansion in this decade. Additionally, it is probable that an undated land grant by the earl of Douglas to John, witnessed by Walter, of lands in the earl's lordship of Lauder dates from the latter half of the decade.[47] Although it could be earlier, given that John's first definitely dated appearance is 1376 and Walter's last is 1384, assigning it to these years seems reasonable, especially considering the other grants made by Douglas in this period to other minor southeastern nobility.[48]

One of the problems with accurately evaluating the closeness of the Haliburtons, either Walter or John, to the first and second earls of Douglas is the role of geographic proximity. There is insufficient evidence for a confident statement, but it must be observed that the only charters for the earl of Douglas which the Haliburtons witnessed concerned land in Berwickshire. All other appearances of the Haliburtons were in conjunction with the Douglas/Angus group.[49] Furthermore, the Haliburtons continue to appear with March in the 1370s. In 1369 Walter and his brother Alexander were witnesses to a grant by George Dunbar, the new earl of March, to his brother-in-law, John Maitland. In 1372, in connection with the Dunbar-Dalkeith marriage, Haliburton was again present. Finally in 1377 Walter, Alexander and, for the first definitively dated time, John were all witnesses.[50] The timing of these grants is significant. The 1369 grant was one of the first by the new earl, and a gathering of key southeastern individuals is plausible, since Hepburn, Polworth, and Recklington were present. Meanwhile, the Dalkeith marriage consituted an alliance between one of the leading cadet branches of the Douglases

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[47] Fraser, *Douglas,* iii, no. 334
M. Brown, *Black Douglas,* 168-9; would place it earlier in the late 1350s or 1360s. Regardless of the date, it must be admitted that the fundamental purpose of the charter remains constant: the recruitment of Haliburton to a legally founded relationship, rather than an association based on proximity and perceived common interests.
[48] See 1370s section, 66-69
[49] GD436/1/6; Fraser, *Douglas,* iii, no. 28, 29, 334; *A.B. Ill.,* iv, 724; Mss Milne-Home, no. 582
[50] Mss Buccleuch, no. 54; *Morton Reg.,* i, no. 131-2; Marchmont Mss, no. 2

and the earl of March, present were the usual suspects: Haliburton, Hepburn, Edmonstone and Herries. It was the June 1377 grant that was perhaps the most important in terms of wider regional events. It is almost certain that this charter was in fact a March council of war, witnessed by the earl of Moray, Walter Haliburton, Hepburn, Edmonstone, Alexander Haliburton, Towers, John Haliburton (all knights), Nigel Cunningham, Cockburn, Recklington, Philip Nesbit and Robert Lethe.[51] The Haliburtons were a major faction at this meeting, which suggests that they were also militarily important, if only due to the numbers they could command.

The Haliburtons association with the earls in the 1370s and 1380s was not balanced with any direct Crown attendance. If the 1360s had largely seen the family involved with either the Crown or the local community, but not the earls, Robert II's reign saw them involved with the magnates, primarily in the early 1370s, and the local community only. This last sector was the most important in maintaining a stable position over a long period of time. The Haliburtons' continued relationships with those of equal status were as important, and as frequent in the evidence, as their magnate connections. Their local relationships were not solely composed of charter witnessing, a form of appearance in the record which, it must be acknowledged, can be formulaic; though even in the most formulaic royal charters the witness list retains its value as a list of those perceived to be important.[52] Walter, alongside his brother Alexander, Abernethy, Cockburn and others, was a witness in 1375 for a charter issued by David Penicuik in favour of William Crichton.[53] However, also in this period two crucial marriages took place, the first between John Haliburton and the co-heiress of the Cameron estates brought the family more land. The other Cameron heiress married Nicholas Erskine, the second son of Robert Erskine.[54] The Cameron-Haliburton marriage also linked the Haliburtons to the Prestons, since Simon Preston held lands that were part of the Cameron estate. This local marriage to a minor family was another link to the community, though it reflects the tendency of the Haliburtons during this decade to maintain a local or regional outlook, with little interest in the politics of the Crown. The second important marriage was of Jean,

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[51] Macdonald, 'Kings of the Wild Frontier?', 152
[52] For a discussion of some of the problems in a royal English context: Biggs, 'Royal Charter Witness Lists', 407-423
[53] GD18/2
[54] GD122/1/143; *SP*, iv, 333

John's sister, to Henry Sinclair of Roslin, who a few years later would become the first Sinclair earl of Orkney. At the time of its arrangement this was a local marriage to a family with a distinguished history and some curious political links to the far north but whose meteoric rise still lay in the future.

The Haliburtons were cultivating links to the families in the Edinburgh region at this time. In 1384 John, now styled lord of Dirleton, permitted Simon Preston to alienate some of the Cameron lands to the chapel of the Blessed Virgin Mary in Musselburgh in exchange for perpetual alms.[55] This charter was witnessed by Henry Sinclair now earl of Orkney and named in the list as John's brother, along with John Sinclair who was Henry's brother. The Haliburton-Sinclair (Orkney) relationship was beneficial to both sides: it connected the Haliburtons to a wealthy family with an entirely new set of links outside the area. For Orkney, the Haliburtons were arguably the head of the local community that backed his claim to the Norwegian earldom in 1379.[56] The Haliburtons' relationship with Orkney was part of an emergent network in the 1370s and 1380s, of which the Haliburtons were central members. It included a number of families whose prominence in the record was recent.[57] Along with the familiar names of Haliburton, Hepburn, Edmonstone, Abernethy, Preston and Ramsay are the Crichtons, Bikertons, Sinclairs of Roslin, Seton, Forresters, Lauders and Borthwicks. Some of these individuals would have little recorded contact with the Haliburtons; but their growing prominence suggests the vitality of this community. It also suggests that the Haliburtons' main set of contacts were increasingly centred on the area north of the Lammermuirs, rather than on their older Borders connections.

Although the Haliburtons' centre of focus had shifted towards Edinburgh, there is one social group that is conspicuously absent from their set of contacts. The family had few relationships with mercantile families.[58] The closest were its connections to the Prestons. But it must be acknowledged that the Prestons in the late fourteenth century cannot be defined as an urban family, even if some of its

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[55] GD122/1/144
[56] *Orkney Recs.*, 24
[57] This is not to say that they are always 'new' families, many of them can be confidently traced back for generations, but rather that their regular appearances with high profile individuals are new.
[58] One of the only definitive links is a single land grant to a Perth burgess circa 1400-06: *RMS*, i, app.2 no. 1923

members were named as burgesses. During the Albany government the Haliburtons were in close contact with the custumars of Edinburgh, North Berwick and Linlithgow, but this contact was adversarial.[59] This lack of mercantile contacts is unusual in the southeast for a major family. The majority of families had contacts in and/or landholdings in the various burghs: March, and probably the Maitlands, worked in concert with the burgesses of Dunbar; North Berwick maintained connections to the earls of Fife, Angus and Douglas, along with the Lauders and possibly the Borthwicks; Haddington-Aberlady maintained contact with the earl of Fife and the Lindsays; Linlithgow maintained contact with the Crichtons and the Douglases of Dalkeith; and Edinburgh naturally maintained numerous overlapping connections, including the Prestons, Forresters, Kerrs and Logans. Other families, such as the Sinclairs of Roslin, had connections to mercantile families elsewhere. Given the Haliburtons' proximity to Haddington and its harbour of Aberlady, involvement in the town might have been expected, similar to the symbiotic relationship evident in other towns, but it does not seem to have occurred. Slim evidence of influence is apparent in only one instance. Master John Haliburton was the Master of the Hospital of St Laurence in Haddington until his death in 1413, yet his position would have been one of indirect influence at best, mediated through a relative as well as the institutions and interests of that clerical establishment.[60] Nor does the family appear beside burgesses in charters with any frequency. Indeed the only sustained contact of this type was with the Forresters in the 1380s; but that connection does not exist outside the mutual link to the earls of Douglas.

As stated the Haliburtons had little contact with the Crown in the 1370s and 1380s in marked contrast to the earlier period. Additionally, their appearances with the earls of Douglas are surprisingly few in this period, considering the aggressive expansion of the Douglases at this time. Lastly, there is no evidence for their relationship with the earl of March after 1377, despite a previously solid working relationship. The Haliburtons as a group kept a remarkably low profile during the recurrent raids of the 1380s. Alexander and a Walter[61] were present at Carrick's

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[59] *ER*, iii, 616, iv, 193, 203, 216, 244, 296; see 1406 section, 107-114
[60] *ER*, iv, 182
[61] The precise identity of this Haliburton is a mystery; but it is clear that in these years John was the head of the family, so it is almost certainly one of the two younger Walter's active in the early 1400s.

June 1388 meeting in Haddington. The same year Froissart, in his list of those gathered in Aberdeen for a council of war, included John.[62] As was the case in the 1370s, the Haliburtons were present at gatherings which coincided with major decisions about Border policy; but that is the extent of their recorded participation, although it is hard to believe, given the size of the 1388 host, that they did not contribute. It is not, however, outside the realm of possibility that the Haliburtons, in contrast to the group around Carrick and Douglas in the 1380s or March in the 1370s, were not particularly interested in initiating a more aggressive policy against the English.

Such speculation is strengthened by the events of 1389-90 and the following decade. The impression given by the record during this period is that the Haliburtons had more personal contact with the English court than with the Scottish court. They seem to have remained aloof from both the Scottish royal court, dominated by the third earl of Douglas, Dalkeith and Alexander Cockburn, and from regional politics, even during the 1397 feud between Angus and Dalkeith, in which Angus was supported by the Sandilands, Herdmanston, Lindsay of Byres and the earl of Orkney.[63] John was, however, a witness to the agreement made between Sandilands and Angus, which reconciled the two parties, in the late 1390s, and it is probable that if he supported any side in the Angus-Dalkeith feud, it was the Angus group.[64] It is difficult to believe, given John's ties to those involved and the geographic proximity of events, that he was not affected, but the surviving evidence does not suggest a central role. This surprising lack of engagement may have been because the Haliburtons were one of the few families in the southeast that had no direct stake in the Douglas inheritance dispute. This automatically placed them in an uncertain position, since this dispute was the basis for many of the coalitions formed in this decade.

This ambiguity may explain their presence in the request for protection made to Richard II by the Drummonds and Sandilands as well as John Haliburton for all of his lands throughout Scotland, which included lands and baronies in the southeast

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[62] B30/21/3; *Froissart*
[63] Boardman, *Early Stewart Kings*, 205
[64] Fraser, *Douglas*, iii, no. 43

and Strathearn.[65] For the Drummonds and the Sandilands the motivation for this request was straightforward: their claims to the Douglas inheritance put them dangerously at odds with both the third earl of Douglas and the earl of Angus; but for Haliburton the motivation must have been more complex. It is possible that the Haliburtons had an alliance with the Drummonds and Sandilands which put them at risk of retaliation from either Angus or Douglas. But it is equally likely that their relatively un-involved position made them particularly vulnerable to internal political threat or English invasion. The neutral position maintained by the Haliburtons was only tenable if the local and regional political community was in accord, and/or if they had, as they did in 1363, strong connections to the Crown. What is definite is that in June 1389 John Haliburton petitioned for English protection of his lands; and then in November he and his cousin William both obtained safe conducts for the purpose of visiting the English king.[66] John may have spent several months in England, since his next appearance is in April of 1390 when he is recorded as receiving gifts of a silver cup and two clothes of gold from Richard II.[67] Haliburton was not the only Scottish noble at the English court: the earl of Moray, Lindsay and William Dalzell also received gifts.

These men were repeated visitors to England and the Continent in the 1390s, not on declared diplomatic visits, but rather for various tournaments and social occasions. It has been argued that this series of Anglo-Scottish visits, ostensibly motivated by the cult of chivalry, also contributed to the development of a more positive Anglo-Scottish relationship at the level of the Crown.[68] This was particularly true with high-profile Scottish knights, some of whom, such as the Lindsays, had direct links to the royal family; their English visits could have been an informal avenue of contact between the two Crowns.[69] Additionally, the enthusiasm for tournaments, jousts and other formally organized spectacles, alongside the clear emulation of the English practice in the elevation of Fife and Carrick to dukes,

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[65] *Cal. Docs.*, iv, no. 391
Haliburton's lands were: the baronies of Bolton and Dirleton, the lordship of Haliburton, the vills of Dalcov and Lambdene, the lands of Shirresbygyng, Fawenys, Melvstanys, Flas, Ifly, Wethirle, Raughburn, Nathirthern, Longniddry, Nether Carlory (in the southeast); the baronies of Segyn, Sawlyforgan, Russy (in Strathearn), and the baronies Ballegernowe and Abyrnwyt
[66] *Rot. Scot.*, ii, 101a; *Cal. Docs.*, iv, no. 391, 403
[67] *Cal. Docs.*, iv, no. 411
[68] Goodman, 'Anglo-Scottish Relations' for the diplomatic relations of the 1390s
[69] See: Boardman, "'Kingship in crisis?' The Reign of Robert III (1390-1406)" forthcoming

suggests that the prevalent attitude, if not strictly speaking anglophile, gave more weight to the shared cultural points rather than the political and territorial grievances. Because this was a social and cultural movement as well as political, it encompassed individuals who were not otherwise involved with the Crown, and the Haliburtons, John and William, were in this group. John visited England again in 1394, but it was probably William who was most active. In 1392 permission was given for a tournament at Carlisle to be held between the English knight Richard Redemane and William. In 1397 William had permission to travel through England and to take a ship at any port, although no continental destination was specified.[70] William's travels have certain parallels to undertakings by other south-eastern knights in this decade, including the Prestons and John Sinclair, brother of the earl of Orkney.[71] The pre-existing social ties between these men and their families is readily apparent, and such ties were no doubt strengthened by their shared interests. That such travels concentrated heavily on chivalric exploits is clear: all of these men, including the 1390 group, figured prominently in tournaments arranged between English and Scottish knights during this decade.[72]

The Haliburtons had remained apart from the Douglas inheritance issue, but such was not the case with the two great regional issues of the early 1400s: the earl of March's flight to England with the subsequent wars and reconciliation; and the struggle for power in the southeast from 1404 onwards. In the last two decades of the fourteenth century there is no evidence to support an argument for an active relationship between the Haliburtons and the earl of March. However, the absence of evidence does not equal a negative conclusion. The fact that the other stalwarts of March's affinity, Hepburn and Maitland, remained connected to the earl and that the earl's affinity, while not expanding, seems to have been stable suggests that any rift between March and Haliburton occurred following the events of 1400. This impression is strengthened by the fact that these two families could be considered, in the politics of the 1390s, as supporters of a positive diplomatic approach with regards to England.

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[70] *Rot. Scot.*, ii, 124b; *Cal. Docs.*, iv, no. 452, 488
[71] *Cal. Docs.*, iv, no. 412, 469
[72] See Goodman, 'Anglo-Scottish Relations'

The political situation changed drastically in 1400 when March and his family entered English allegiance following the complete breakdown of their relationship with Robert III. The fallout in the southeast was intensely personal in nature, for obvious reasons, with families connected to March betrayed by his actions, and March betrayed by their refusal to support him.[73] Although poorly recorded, it is likely that March and the English army's success, particularly in 1400-01, was due to some level of local support.[74] No supporters of March are named in the chronicles. This suggests that this aid was given by local families. These families probably lacked the regional or multiple ties that, for regional families, had facilitated the transfer of allegiance to Douglas, the Crown or other sources. The regional families had the option of turning elsewhere and did so. The most prominent case was that of March's nephew, Robert Maitland, who promptly turned over the castle of Dunbar to the earl of Douglas, a politically astute move but nonetheless shocking to some observers.[75] Maitland's actions were the most spectacular illustration of the fact that familial and historic alliances did not necessarily equal unswerving devotion. In terms of the larger region, however, it is clear that the Haliburton and Hepburn families were the leading members of southeast community in the following two years. The events of this period cannot be seen solely as a new act in the old Anglo-Scottish wars. This was an internal Scottish feud that used and was used by larger political players to further their own agenda; but at its core lay the relationship between the earl of March and the southeast community. The Haliburtons had not been high profile players in the 1377-1389 wars, nor had they been particularly active in the internal Douglas disputes; in this case, with a large stake in the outcome, they were leaders.

Attention has, naturally, been focused on the disaster of Nesbit Muir in 1402, which eliminated a substantial portion of the nobility from the southeast, and the loss at Humbleton Hill. However, while Nesbit Muir was apparently the result of a serious miscalculation, it was not the first major Scottish offensive following the

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[73] Bower, *Scotichronicon*, viii, 33; *Chron. Wyntoun*, iii, 78

[74] See 1400 section, 104-107; Macdonald, *Border Bloodshed*, 226
For the English raid on Edinburgh under Henry IV: A.L. Brown, 'The English Campaign in Scotland, 1400'

[75] Bower condemns Maitland's action as being without reasonable grounds: Bower, *Scotichronicon*, viii, 33; *Chron. Wyntoun*, iii, 78

devastating raids deep into Lothian led by the earls of March and Northumberland. Although Douglas was an indirect supporter of the defence of the southeast, the organizers of the local community were John Haliburton and Patrick Hepburn.[76] The command of the region seems to have been split between these two men, and possibly others; early in 1402 a first successful raid into England under the command of Haliburton took place. It is not possible to calculate the size or extent of this raid, but its occurrence indicates that Haliburton was a credible leader of the southeast nobility. In the following raid, which ended at Nesbit Muir, Hepburn was the commander and Haliburton was amongst the host. John and Thomas Haliburton, relationship unknown, were amongst those who died at, or shortly after, Nesbit Muir.[77]

The Haliburton family avoided the misfortune of a period of relative obscurity due to minorities caused by the disastrous events of 1402, a problem that plagued several other notable families. Instead the next two decades saw the family enter a new stage of activity. There is, however, a serious problem in studying the family in the early fifteenth century: namely that the relationships between the numerous members of the family are unclear and, to make matters especially obscure, there were two adult Walter Haliburtons active at the same time, probably father and son.[78] Consequently, conclusions must be limited and the question of the precise dynamics within the family remains open. In some instances it is not possible to determine which Walter is being referred to. Some differentiation can, however, be made. Walter Haliburton of Dirleton was likely the elder, given his title; sometime between 1407 and 1409 he married Albany's daughter, Isabel, and consequently the record refers to him as Albany's son (in-law) at times.[79] Dirleton was clearly the head of the family in this period, since he was the individual appearing in charters and in documents mentioning the family.[80] The second Walter is simply Walter Haliburton; he married in 1403-4 the third earl of Douglas' daughter

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[76] For more on the leadership and the roles of those involved see the general section on 1400-06, 94-101
[77] Bower, *Scotichronicon*, viii, 43-5
[78] RMS, i, no. 934
[79] Fraser, *Haddington*, no. 286; *RMS*, i, no. 934; *CPL Benedict XIII*, 332
[80] *RMS*, i, no. 897, 898, 934

Marjory who was the widow of the duke of Rothesay.[81] In this period his appearances are confined, with a few exceptions, to his long running problems with obtaining Marjory's annuity from her Rothesay marriage. At some point in the reign of James I this Walter succeeded to Dirleton.[82] What is clear is that the Haliburton family's reappearance as key figures on the political scene was created by the fortuitous combination of these two marriages and a political vacuum.

In the last few years of Robert III's reign it is not possible to determine the degree to which the Haliburtons supported Albany. It can, however, be safely said that they were much closer to Douglas than they were to the king or to either of his heirs. The Haliburton family was not commonly with Douglas between 1400 and 1406, unlike men such as Swinton or Maitland who were frequent charter witnesses and beneficiaries of Douglas patronage. Nonetheless, several Haliburtons are charter witnesses for the earl.[83] This included a Walter Haliburton in 1403, likely due to his position on the witness list (first after those named as knights) the younger Walter.[84] A more impressive connection between the two families is apparent when considering the events and marriages of the period. The marriage of the younger Walter to Rothesay's widow in 1403, which tied the Haliburtons to the fourth earl of Douglas, was probably not an arrangement that the king favoured. The immediate and continued difficulty which Walter had in claiming the annuity due to his wife as Rothesay's widow bears this out.[85] While valuable for the Haliburtons, it was equally useful for the new earl who was rapidly rebuilding his south-eastern network of support following a decade of relative neglect by the third earl and lingering resentment over the inheritance dispute. It is also possible that the annuity itself, or at least part of it, may have been channelled to the Douglas family: in 1405 Sir James Douglas seized the annuity from the Linlithgow custumars, supposedly on Marjory's behalf.[86] The marriage strengthened the Douglas-Haliburton connection to a previously unseen degree. The reliance of the Haliburtons on the strength of the earl

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[81] *ER*, iii, 59
[82] In the following section the elder will be called Dirleton and the younger Walter
[83] Fraser, *Douglas*, iii, no. 346; *ER*, iii, 616
[84] GD15/333
[85] *ER*, iii, 616, 620
[86] *ER*, iii, 616

of Douglas in the following years to gain the Rothesay annuity, an increasingly violent proposition, ensured that it would last as an active relationship.

It must be noted that the Haliburton-Douglas connection may have been primarily mediated through James Douglas of Balveny, later to be seventh earl. James had initiated the extortion of the annuity in 1405 and Dirleton was also a witness to a Maitland charter backed by Balveny and not the earl. Most conclusively the immediate actors against Robert III and his heir in 1406 were Balveny, Dirleton, and Herdmanston.[87] Balveny was not, at this time, a major political figure and was overshadowed by the fourth earl. However, the earl's captivity in England combined with Balveny's position as Warden of the Marches made Balveny a critically important figure regionally. Arguably, and with hindsight, one can see in this period the beginnings of the network of individuals which would be valuable for the expansion of Balveny's power at the cost of the earl's descendants.[88] This, however, was still some distance in the future and in this era the fourth earl remained dominant, though Balveny held an important position as warden of the east marches.[89]

Haliburton relied on letters of support to gain his annuity during this era: from Balveny in 1407, from Albany and William Crawford in 1409, and in 1410-12 from Albany.[90] The timing of this support coincides with the larger political shifts and the Haliburton family's role within them. The 1407 and 1409 aid from Balveny and Crawford was an example of the resilience and depth of the fourth Douglas earl's affinity: both Balveny and Crawford were lieutenants of the earl in the region, but they themselves were capable of aiding individuals such as Haliburton even in the absence of the earl.[91] It also serves as an example for the fundamentally reciprocal nature of the system: the earl's absence in England and his reliance on numerous hostages from throughout his personal affinity to end that absence was an unusually large demand for service. This use of his political capital meant that

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[87] Fraser, *Douglas*, iii, no. 348; *Chron. Wyntoun,* iii, 94-5
[88] M. Brown, *Black Douglases*, 178, 234
[89] This position included direct diplomatic exchanges with the English Crown concerning the Border in 1405. Fraser, *Douglas*, iii, no. 348; iv, 63-5
[90] *ER,* iv, 54, 73, 112
See Minor Nobility, Edmonstons, for further discussion of the annuities in this period, 267-271
[91] Crawford was the keeper of Edinburgh castle for the earl while he was in England: Fraser, *Douglas,* iii, no. 356

supporting Haliburton's claim had the added benefit of advertising his ability as an effective lord in the region. In the same year, 1407, Douglas also granted Henry Haliburton land in Lauderdale; this grant in the core region of Douglas' southeast holdings to a junior member of the Haliburton family broadened the connection between the two families.[92]

Albany's support was in some ways more indicative of the pivotal role the Haliburtons were playing in this period. Their involvement with Douglas rested on the familial and financial ties created by the marriage to the earl's sister, Rothesay's widow, and the accompanying annuity. No similar financial gain existed for Albany. His support of Haliburton's legal claim arising from the Rothesay marriage was based on familial obligation and political necessity. In addition to the recent marriage which made the elder Walter (Dirleton) Albany's son-in-law, the Haliburtons were key players in the negotiations between Albany, Douglas and March which partially rebalanced the political structure in the southeast and which arranged an understanding about the division of power and overall control of the kingdom in the regency.[93]

This pleasant situation whereby political connections made it possible for the Haliburtons to gain the annuity did not last beyond 1412, by which time, it may be argued, the political climate had stabilized, new alliances had formed and the Haliburtons' importance was reduced. Consequently, the ensuing years would see repeated attempts by Haliburton to secure the annuity, often working in concert with, or taking advantage of, the actions of men associated with Douglas. In 1414 Haliburton seized the pension from the custumars of Linlithgow and in the same year confiscated wool held by the North Berwick customs.[94] This act of extortion would be repeated in the following years and occurred with the tacit acceptance of Albany.[95] Haliburton was one of the primary offenders, and was generally acting in concert with the other followers of Douglas, however, it is clear that he was willing and capable of taking action independently. In 1420 Haliburton seized and

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[92] Grant, 'Acts of Lordship', 254, 257

[93] Bower, *Scotichronicon*, viii, 75; *RMS*, i, no. 934

[94] *ER*, iv, 203
Haliburton's criminal career may have been already under way in 1409 when the rector of Eassie claimed to have had goods stolen by Walter Haliburton and Thomas Leman of North Berwick, but it is unclear if this is the same Walter. *CPL-Benedict XIII* p195

[95] *ER*, iv, 144, 193, 216, 224, 244, 253, 278, 296, lxi; Grant, *Independence and Nationhood*, 185

imprisoned the custumars of Linlithgow because of their refusal to hand over the annuity. Unlike previous years, this extortion was not in concert with actions across the region.[96] Although the lack of uplifting by Douglas' men may have been because William Borthwick, captain of Edinburgh castle, served Douglas, and his control made it unneccessary.[97] While such an arrangement sufficed for the earl of Douglas, it clearly did not assuage the concerns of Haliburton, whose claims, although paralleled by and supported by the earl's actions of the previous years, were an independent demand for payment from the Crown. This fundamental legal difference was always noted in the Exchequer: while Haliburton was listed with the earl's men, his actions were always specified as being motivated by the annuity issue.

It must be remembered that in addition to this subtle point of difference between Haliburton and the core Douglas affinity, this Haliburton was the younger and not the family head. Walter Haliburton of Dirleton's career between 1402 and 1420 was somewhat different. In 1404-6 the actions of both men were in accordance with each other as supporters of Douglas and not as supporters of the re-energized group around Robert III.[98] If the marriage to Rothesay's widow in 1403 was not sufficient proof that the Haliburton family was interested in links with the Douglas family and uninterested in supporting Robert III's bid to regain influence in the southeast, Dirleton's actions in 1406 seem conclusive.[99]

In these years it is difficult to avoid the impression of a polarized community in the southeast, at once forced by and taking advantage of both the power vacuum and the increased recruitment of support by both Douglas and Robert III to advance their own fortunes. In this situation some of the smaller families, such as the Herdmanstons, may have had little option in supporting the earl of Douglas rather than the Crown; they lacked links to the Crown and/or the majority of their lands were either held from the earl of Douglas or were located in the disputed earldom of March. In essence this meant that they were obedient to the earl of Douglas. The

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[96] *ER*, iv, 320
[97] *ER*, iv, 321-2
[98] Fraser, *Douglas*, iii, no. 346; *ER*, iii, 59, 616; for the group around Robert III see the Orkney and 1400 sections, 107-115, 243-245; also Boardman, 'Contempt of Court' and 'Endgame', *Early Stewart Kings*
[99] *Chron. Wyntoun*, iii, 94-5

Haliburtons were not in this position. Indeed, of all the families in the southeast they would have seemed the most likely candidates for supporting the Orkney/Fleming faction, considering that Orkney was a nephew of the late John Haliburton and the Haliburtons' history of remaining apart from the Douglas affinity. But this pattern shifted abruptly, and after 1402, the Haliburtons were Douglas supporters. This may have been due to the change within the family, John died in 1402, after Nesbit Muir, and the two Walters came into their own.[100]

The conflict between Douglas and the Crown came to a head when Fleming was caught at Long Hermiston Moor by Balveny. Also in the field were the Herdmanstons and the Haliburtons. Fleming, Orkney and James I, heir to Robert III, had been travelling in the region, in an attempt to demonstrate the Crown's revitalized presence. Caught between Balveny's host from Edinburgh and that of the countess of Angus' from Tantallon, Orkney and James I fled to Bass Rock, while Fleming was pursued and killed by Balveny.[101] The record is obscure in its wording and it does not specify on whose side the Herdmanstons and Haliburtons fought.[102] The Herdmanstons, brothers and nephews of the countess of Angus and in service to Douglas, were indisputably fighting against Fleming. Haliburton is less immediately obvious. Dirleton, the obvious strong point between forces closing in from Edinburgh and Tantallon, should have been an option for safety; that it was not an option implies that its keepers, the Haliburtons, were not supportive of Fleming and Orkney.

The Haliburtons' refusal to support the Fleming/Orkney faction was not an impulsive decision; rather it reflected concerns over the control of the region combined with a pragmatic evaluation of the proven benefits of supporting the Douglas affinity. In January 1406 Walter Haliburton was a witness to a grant by Thomas Maitland, lord of Halsington and Ormiston, to Robert Dikison of lands in Peeblesshire. The group witnessing this charter included the abbots of Melrose and Holyrood, James Douglas, Walter Haliburton, William Crawford (keeper of Edinburgh castle) and for greater authority the seal of James Douglas of Balveny, as

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[100] Bower, *Scotichronicon*, viii, 43-5; Fraser, *Douglas*, iii, no. 346; *ER*, iii, 616
[101] See Boardman, *Early Stewart Kings*, 291-6
[102] Bower, *Scotichronicon*, viii, 63; *Chron. Wyntoun, iii, 94-5;* Seton, 'Provocation of James Douglas of Balveny', 116-118

Warden of the Marches, was appended.[103] This grouping may hint at one of the underlying reasons as to why the Haliburtons supported the earl of Douglas and not the various factions around the Crown. The interests of this group stretched from Edinburgh down to the Borders. The abbot of Melrose, the Maitlands, Haliburtons and Balveny, in his position as Warden of the Marches, were all intimately concerned with how the administration and law of the Borders would be carried out. Obviously, this was not a concern confined to this group; but it may suggest that the conflict between the Orkney/Fleming faction backed by the Crown and the Douglas faction can be explained in terms of tension between central and local approaches to governing the region.[104]

In the chaotic political situation left after 1406, and solely by the process of elimination, the Haliburtons were one of the few southeast families with substantial trans-regional influence left. In this situation their position as allies of the Douglas group but fundamentally independent actors gave them a brief political advantage. In 1406-09 the Haliburtons appear as brokers and/or advisors in several contexts. In 1407 Dirleton was granted an annuity of £40 from the barony of Ballernache, Edinburghshire, for his counsel to the holder of that barony, William Ruthven of Ballernache.[105] The significance of this grant comes from the career of the Ruthven family. In 1393 Robert III had granted Ruthven's father the office of sheriff of the burgh of Perth, along with Ballernache.[106] This was an office that the elder Ruthven was still holding in 1405 when he appeared as a witness at court for two charters relating to the upkeep of the bridge in Perth. These charters reflect the group around Robert III at the time, the bishop of Aberdeen, Orkney, Fleming, Cockburn, John of Bute and Walter Forrester. Ruthven's presence at court, despite the political divisions, is not in and of itself proof of any close connection to Robert III in these critical years; that the grant for the bridge's maintenance was, however, made for the salvation of the souls of Robert II, Elizabeth Mure, the queen, Annabella Drummond,

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[103] Fraser, *Douglas*, iii, no. 348

[104] Balveny's willingess to discuss Border issues with the English Crown directly was a form of independent diplomacy, for another example of this see: Goodman, 'A Letter from an earl of Douglas to a king of Castile', 63-5

[105] *RMS*, i, no. 897

[106] *RMS*, i, App.2 no. 1689, 1721
Scots Peerage states that the William Ruthven of 1407 activity is the son of the William Ruthven of 1393: *SP*, iv, 257

and the duke of Rothesay connects Ruthven as the sheriff of Perth to a clear political statement.[107] The Ruthven family was like any number of other families directly affected by the transition of power in 1406. The generous annual to Dirleton may reflect the Ruthvens' need to cultivate new avenues of support following the collapse of the group around Robert III. Such recruitment activity may also help to explain Ruthven's appearance as a witness for Albany in the winter of 1407. Interestingly, this was a charter for Forrester confirming an agreement with Orkney, and so places Ruthven in the company of another family, Forrester, which successfully weathered the political transition.[108]

Dirleton was also a central figure in transactions with the Seton family when William Seton impignorated lands in Tranent to Dirleton in exchange for the marriage rights of Elizabeth Gordon, the daughter and heiress of the deceased Adam Gordon who had been killed in 1402.[109] This deal was followed shortly thereafter in 1408 by the marriage of Alexander, the younger son of William, and Elizabeth, with the couple then receiving the lands of which she was heiress, the baronies of Gordon and Huntly, the lands of Fogo, Fawnys, Melowistanes in Berwickshire, and the lands of Strathbogie and Beldygorden in Aberdeenshire.[110] The couple's son, Alexander, would later be elevated to the first earl of Huntly. This grant serves as a striking example of the interconnected nature of landholdings and families stretching from the Borders to the Forth, since Dirleton held land in both Fawnys and Melowistanes and was a close neighbour to the Seton family on the Forth coast.[111] It also reflects the gradual reconciliation of the political community in this period: it was Alexander's provocation of Balveny in 1406 that led to his attack on Fleming, who happened to be Alexander's uncle.[112]

While these both suggest that Dirleton had a primary role in returning the political community to some semblance of order, it was in 1409 that the most important action was taken by Dirleton: he acted as the intermediary between Albany and March, negotiations which would lay the groundwork for the earl's restoration.

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[107] B59/23/11,B59/23/12 (not in archive, taken from the catalogue); Boardman, *Early Stewart Kings,* 283
[108] *RMS,* i, no. 902
[109] Bower, *Scotichronicon,* viii, 47
[110] *RMS,* i, no. 898, 905
[111] *Cal. Docs.*, iv, no. 391
[112] Bower, *Scotichronicon,* viii, 61-3; Seton, 'Provocation of James Douglas of Balveny', 116-117

The October 1409 agreement between Albany, Douglas and March, in which March was restored to the earldom of March and the castle of Dunbar, while in recompense Douglas received the lordship of Annandale and castle of Lochmaben originally held by March, was witnessed by a highly partisan group the bishop of Aberdeen (the chancellor), Robert Stewart of Fife, John Stewart lord of Buchan, the earl of Strathearn, Stewart lord of Lorne, Stewart of Raylistone, Borthwick, Master Matthew of Geddes, Andrew Hawk, Patrick Herring, Alexander of Home and David Berclay.[113] This grouping consisted entirely of men closely associated with either Albany or Douglas and thereby gives the impression that the wider political community was not concerned. The groundwork for this October agreement hints, however, at a more complicated scene in which Douglas' authority in the southeast remained a matter of delicate internal diplomacy aimed at peacefully resolving multiple disputes and requiring the attention not only of Angus, March and Douglas, but also much of the minor nobility.[114] The reconciliation with March cannot have been viewed favourably by Douglas who thereby lost his territorial dominance in the region. Yet it is entirely plausible that a curb on Douglas through the reintroduction of the older tripartite division of power in southeast, was attractive not only to Albany but also to those within the region who had a history of playing multiple sides.[115]

Such a group seems to have existed around Dirleton. In June 1409 at the castle of Dirleton a group of men pre-eminent in the southeast witnessed a charter by Walter lord Dirleton to his brother George: the earls of March and Orkney, Lindsay de Byres, Herdmanston, Lauder, Walter Haliburton (the younger), Alexander and John Haliburton, Bonville, Cranston and Haswell.[116] This charter must be understood in conjunction with Bower's comment that Dirleton was the intermediary between the earl of March and Albany.[117] What is particularly striking about this group of men is that while they all had associations with Douglas, in no case were their primary lands held from Douglas nor, with the exception of Haliburton, were

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[113] *RMS*, i, no. 920
[114] Fraser, *Douglas*, iii, no. 300; M. Brown, *Black Douglases*, 109-11
[115] See 1406 section, 128, 131-135
[116] *RMS*, i, no.934
[117] Bower, *Scotichronicon*, viii, 73-5
For which services he received hereditary possession of forty librates of land in Birgham

they members of the 'inner circle' of the fourth earl's affinity.[118] The three with the closest links, Orkney, Haliburton of Dirleton and Herdmanston, were either equals with Douglas, in the case of Orkney, or had equally active links elsewhere, for Herdmanston this was the countess of Angus and for Dirleton it was Albany.[119] At some point after the death of the earl of Ross in 1402, and by 1408 or early 1409 Dirleton had married Isabel, the countess of Ross and daughter of Albany. The move to permit March to return is generally assumed to have been orchestrated primarily by Albany in order to balance Douglas' power in the southeast and peacefully resolve the dispute.[120] The existence of this southeast group, with Dirleton as its leader and in favour with Albany, cannot be ignored. It may suggest that, even if Douglas' rise created opportunities for advancement amongst this group, there was a feeling of unease about the monopoly the Douglas family had on power in the southeast at this time, a situation which was a distinct departure from the previous distribution of power in the region.

It is apparent that Haliburton remained in contact with both March and Albany after 1409, supporting this idea that the family was not solely Douglas men.[121] In 1419 Wark castle was taken by William Haliburton of Fast castle. Fast castle had been recaptured by March's son in 1410, and presumably William was installed in it at that time.[122] The Haliburtons' ability to deploy men in a military context seems to have remained unchanged; and what evidence there is does suggest that the Haliburton family remained important for local and regional control and as a resource for military support. In the 1430s the family would be working alongside the earl of Angus, whose favour with James I rose rapidly, in the king's campaign to remove March and to gain stronger central control over the east march. Furthermore, it is notable that one of Walter's few appearances in the royal record during the 1420s was at Inverness in 1429 during the campaigns in the Highlands.[123] His participation in this campaign, and those of the 1430s, suggest that, while uninterested in court politics and administration, the family remained supportive of

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[118] For a breakdown of the fourth earl's affinity see: Grant, 'Acts of Lordship', 246-8
[119] *Yester Writs* no.45; See discussions on Orkney and Herdmanston, 247-249, 261-262
[120] Fraser, *Douglas*, iii, 54; M. Brown, *Black Douglases*, 109-11
[121] *RMS*, i, no. 934; Fraser, *Haddington*, no. 286; *ER*, iv, 177
[122] Bower, *Scotichronicon*, viii, 113, 199n1-2
[123] *A.B. Ill.*, iv, 390; Mss Milne-Home, no. 631; *ER*, iv, 602

the king's policies. Additionally, these appearances confirm that the family's main area of expertise, the ability to access a large kin network for military affairs, was still important a century on from their early appearances in the 1330s.

However, this support was not as enthusiastic as it might have been. Following the period of activity early in Albany's government, leaving aside the anomaly of the annuity, the family no longer appeared with any frequency in the records of the royal administration. Its last appearance alongside Albany was a witness for a grant by Albany to John, the son and heir of William Lindsay of the Byres, in 1413. This grant, which transferred William's estates to John, was concerned with lands in Edinburghshire, Haddington and Roxburghshire. Haliburton's appearance may be explained by the fact that they were neighbours to the Lindsays.[124] There is no reason to suppose that the Haliburtons were not active in local or regional politics, as the annuity demonstrates, but they played little role in perhaps the most important area of concern in this period, the diplomatic efforts to secure the release of James I.[125] Only once does a Haliburton appear in the safe conducts recorded for these embassies; in 1413-5 Alexander was part of an embassy.[126] Considering the family's recent activity at the centre of the political arena such conspicuous absence is surprising; it must, however, be acknowledged that it does fit the pattern of relatively low-level participation in royal affairs; when viewed over a long-term the first Walter's close association with David II is the anomaly in the family's behavioural pattern. However, it was a crucially important anomaly. Although the family had been a fixture in the region prior to David II, it was its service to him that increased the family's lands, especially the de Vaux estates which were held from the Crown. And it was this large amount of territory that permitted them to remain a social and political influence independent from the magnates.[127]

The Haliburtons were not amongst those close to James I in the 1420s. Although Walter was one of those knighted at James' coronation in 1424, he was not present at the Stewart assize nor did he participate in the actions taken to arrest the

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[124] Fraser, *Haddington,* no. 286
[125] Mss Kinnaird, no. 5; Mss Carruthers, no. 6
[126] *Cal. Docs.*, iv, no. 872
[127] The de Vaux estates had been in royal ward: *Scalacronica*, 202-3

Albany Stewarts.[128] In addition to their apparent lack of interest in the court and administration, it is probable that the Haliburtons were not in an advantageous position in the early part of James' reign. Unlike men such as Orkney or the Lauders, who had supported James from his childhood, or men such as Balveny and Angus, with whom a political alliance was a necessity, the Haliburtons' links to the Albany Stewarts, even if they were somewhat distant by the 1420s, were not likely to endear the family to the new king. Furthermore, their actions on behalf of March may have handicapped their position. This would not have had a direct impact on their relations with James I, who in the 1420s depended on support from the Dunbars. (His intention to replace the Dunbars with the earl of Angus would not emerge until the 1430s, when the Haliburtons were supportive of royal policy.[129]) But their support of March in Albany's government might have created tension between the Haliburtons and the Douglases in the specific arena of southeast affairs; if so, this could have indirectly affected the Haliburtons' relations to the king due to the preponderance of men connected to Balveny at the royal court. James' recruitment of men interested in advancing their careers at court, men such as the Lauders or Crichtons, and the development of new coalitions around Balveny, Orkney and Angus give an unavoidable impression that the Haliburtons, for all that they remained regionally important, were not players in the increasingly complex court politics.

The Haliburtons represent another side of the power structure in the southeast, a family with widespread lands and a large kin network, as evidenced by the fact that generally two or three Haliburtons were present in connection with military actions. In this they were unlike the Forresters, whose influence was created completely by one individual's career in business and administration. On the spectrum between a concentration on business/administration and landed/military power, the Forresters and the Haliburtons are the two end points, with the other families falling in between.

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[128] Bower, *Scotichronicon,* viii 279, 281
[129] M. Brown, *James I,* 152; *Mss Milne-Home,* 272

Earls of Orkney:

One of the significant features of the southeast's political community was the tendency of its nobility to develop interests in other regions. Some of the southeastern nobility were successful at moving beyond the region and thereby moving up the social scale. In some instances, such as the Dunbars in the earldom of Moray or the Setons in the eventual earldom of Huntly, the movement was by a cadet branch of the family. In some of these cases the two branches of the family became sufficiently distant that assuming a combined interest with the southeast and the new territory would be hazardous. However, this was not the case with the Sinclairs of Roslin, later earls of Orkney.[1] This family bridged not only two distinct regions but two kingdoms. Yet, Orkney's unusual political isolation meant that when the Sinclairs encountered difficulties in actually enforcing their claim to the islands, this conflict was either between the family and the Scottish or Norwegian Crown or was exclusive to the islands. Orcadian political events did not embroil the Sinclairs in the politics of either Scandinavia or northern Scotland in any substantial manner.[2] The family's occasional participation in the politics of these regions was engendered by contacts originating from the islands, but it was not a necessary extension; the earldom of Orkney and Shetland could be satisfactorily ruled in relative political isolation. This situation may have given the Sinclairs a curious advantage. They were a wealthy family whose status remained fairly constant despite only periodic appearances on the political stage, and as long as their hold on the islands remained unchallenged they did not need to brave court politics.

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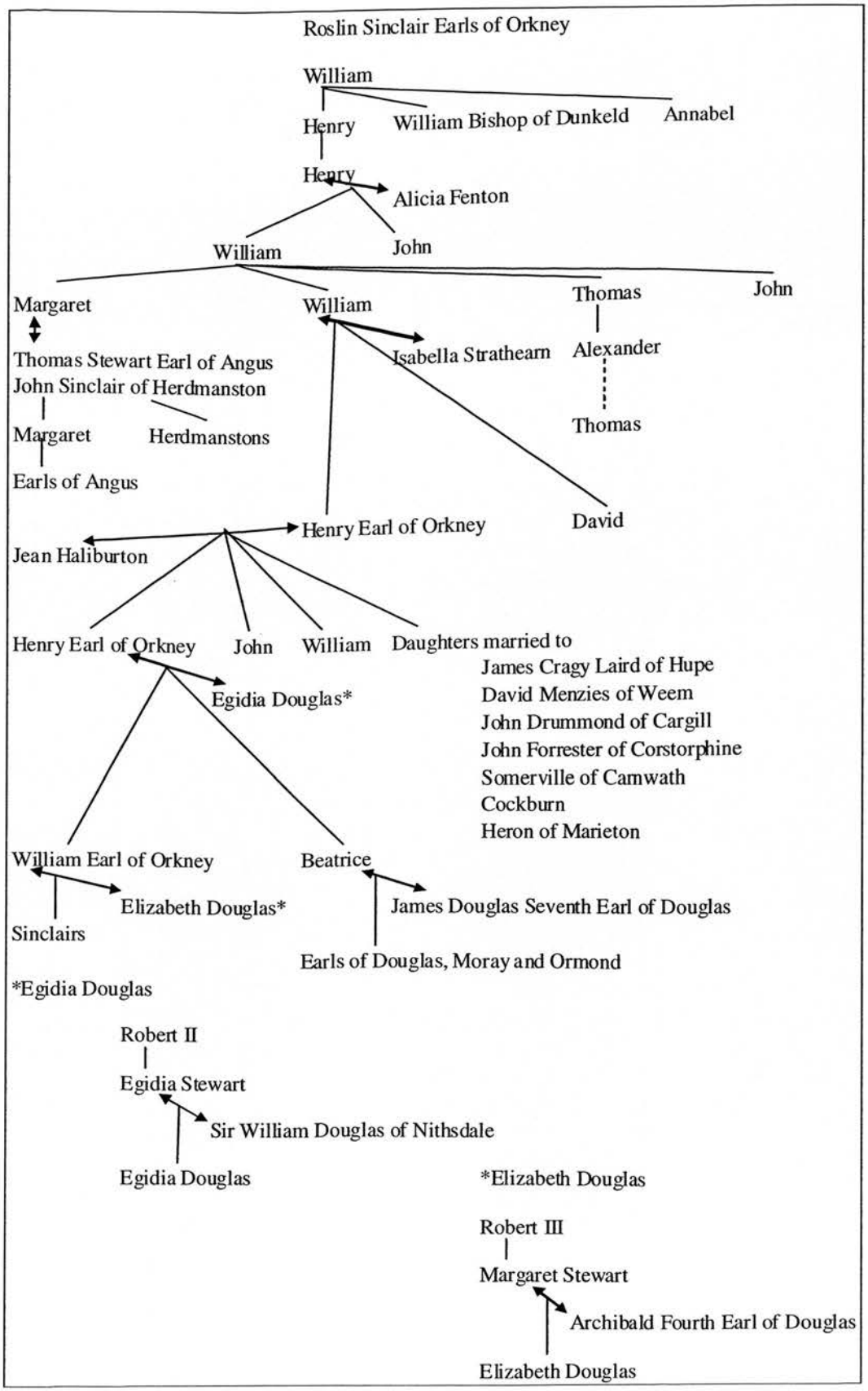
[1] The family split following the death of the third earl into three branches and in the early sixteenth century the Orkney and mainland branches came into direct and violent conflict, a graphic example of the danger of assuming familial loyalty; however, throughout the period of this study no such dissension exists.

[2] For a brief comment see the Appendix, 308-310; for the best overview: B.E. Crawford, 'The Earls of Orkney-Caithness and their Relations with Norway and Scotland', (St. Andrews University PhD thesis, 1971)


Roslin Sinclair Earls of Orkney
William
Henry
William Bishop of Dunkeld
Annabel
Henry
Alicia Fenton
William
John
Margaret
William
Thomas
John
Thomas Stewart Earl of Angus
John Sinclair of Herdmanston
Isabella Strathearn
Alexander
Thomas
Margaret
Herdmanstons
Earls of Angus
David
Henry Earl of Orkney
Jean Haliburton
Henry Earl of Orkney
John
William
Daughters married to
James Cragy Laird of Hupe
David Menzies of Weem
John Drummond of Cargill
John Forrester of Corstorphine
Somerville of Carnwath
Cockburn
Heron of Marieton
Egidia Douglas*
William Earl of Orkney
Beatrice
Elizabeth Douglas*
James Douglas Seventh Earl of Douglas
Sinclairs
Earls of Douglas, Moray and Ormond
*Egidia Douglas
Robert II
Egidia Stewart
Sir William Douglas of Nithsdale
Egidia Douglas
*Elizabeth Douglas
Robert III
Margaret Stewart
Archibald Fourth Earl of Douglas
Elizabeth Douglas

The Sinclairs had certain broad similarities in experience with other members of the southeast nobility such as the Prestons or Haliburtons during the fourteenth century. The family was well established in the area prior to the Wars of Independence: William Sinclair was sheriff of Edinburgh, Linlithgow and Haddington between the 1260s and the 1290s, in addition to being the sheriff of Dumfries and justiciar of Galloway in 1288 and a prominent member of Alexander III's court.[3] By the 1330s the family had at least four baronies: Roslin, Cousland, Pentland and Pentland Muir, with additional lands in Grouton, placing them firmly amongst the ranks of major barons and positioned in central Lothian with a geographically coherent set of lands.[4] Their status was not determined solely by territory. In the Declaration of Arbroath Henry was listed as the king's pantler, the officer in charge of bread and food supplies. Although last on the list of knights with offices, he was listed ahead of the other named nobility, which from the southeast included William Ramsay and Alexander Seton.[5] In addition to this administrative office, Henry acquired a more delicate position in the north as the king's baillie in Caithness in 1321. This is also the first known appearance of a Sinclair in either Caithness or Orkney.[6] A letter by Robert I to the Norwegian king's baillies of Orkney concerning the ill treatment of Scottish subjects in Orkney, and enemies of Scotland being harboured in Orkney, refers to Henry's position and implies that he was supposed to be aware of events in Orkney as well. The tension between Scottish and Orcadian/Norwegian interests was not a minor issue. An agreement of 1312 between Robert I and Hakon of Norway required that the Scots pay six hundred merks for damages done in Orkney by Scottish subjects.[7] Henry's appointment reflected neither previous interest by the Sinclairs in the area nor territorial holdings,

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[3] *ER,* ii, 32, 33, 35-7, 45, 48
[4] *Cal. Docs.*, iii, no. 382
[5] Bower, *Scotichronicon,* vii, 5
The office of pantler is distinct from that of the butler who handled the wine, in this case William de Soules. OED: 'butler', 'pantler', 'panter'
Keen's distinction should be considered here in regards to Sinclair's position and those of men such as Ramsay: 'Nevertheless there was and is a difference of more than title between a knight and an officer (military). The latter's office has a much clearer ring of administration as well as action, of the orderly room and the need to wrestle with problems of pay and supply; and he holds his position by commission rather than by natural right. A man may be born noble and so eligible for knighthood, but an officer's commission can only be conferred by higher authority.'
M. Keen, *Chivalry,* (New Haven, 1984) 240
[6] *Orkney Recs.,* 6-8; *RRS-Robert I,* no. 195
[7] *Orkney Recs.*, 4-6

and was probably driven by the king's need to have as many loyal officers throughout Scotland as was possible in the wake of the Soules conspiracy. Henry's service in the position seems to have been successful, since in 1328 he was the justiciar of the king's forests north of the Forth.[8] These positions suggest that he had the king's favour, and had the ability to control these offices effectively. The family's service was recognized in the grant of annual pensions to Henry and to his sons, William and John, in late December 1328, one of the king's last acts. The amount and style of this payment corresponds to the traditional knight's service.[9]

There is, however, no evidence to suggest that Henry pursued an active campaign of personal advancement in Caithness and his position in the region must be seen as a top-down appointment by the king.[10] Conversely, his appearance as a witness in southeast charters during the 1320s, including some issued by Newbattle and Kelso Abbeys, Robert I and James Douglas, indicates his interest in the region's politics and that he must have spent a substantial fraction of his time in the south. The 1330 Kelso Abbey witness list includes James Douglas, Sinclair, Keith, Lauder (justiciar of Lothian), Seton, Morham and Lindsay. These were all active supporters of the Bruce dynasty in the southeast.[11]

While Henry established the family as supporters of Robert I, it was his sons, William and John, who established the family's close link to the earls of Douglas. They accompanied Sir James Douglas 'the Good' on his crusade and died with him in Spain.[12] It must be remembered that this crusade, led by Sir James Douglas, involved a large section of the political community. The group that went to Spain included at least seven Scottish knights, of whom only one returned to Scotland. The persistent linking of the Douglas family to this crusade as evidence of its piety and its

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[8] *RRS-Robert I*, no.161

[9] This was a 40 merk annual until he had 400 merks or was given 40 merks of land for William, Henry's eldest son (in expectation of his further service) and a 20 merk grant for Henry. *RRS-Robert I* p55, no. 360; *ER*, ii, p.lxxvii

[10] *RRS-Robert I*, no.92, 114

[11] *Kelso Liber,* 167, 198, 212; *Newbattle Reg.,* 44, 72; Fraser, *Douglas,* iii, 357; *RRS-David II*, 257-258

[12] Concerning the reasons for the crusade, the political reasoning behind it, the symbolic meanings surrounding taking Robert I's heart on pilgrimage and the concept of heart burial in Europe at this time, see: S. Cameron, 'Sir James Douglas, Spain, and the Holy Land', *Freedom and Authority: Scotland c.1050-c.1650,* (2000); G. Simpson, 'The Heart of King Robert I: Pious Crusade or Marketing Gambit?', *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland,* (1999); B.K. Heredia, 'Sir James Douglas' death in Spain, 1330', *SHR* 69 (1990) 84-90; A. Macquarrie, *Scotland and the Crusades*, (Edinburgh, 1985) 73-80

dedication to Robert I must have included some of the other families who had travelled to Spain. It is unclear whether or not the Sinclairs had an active role in the wars between 1331 and 1336. They did, however, support David II, as is evident by the English forfeiture of their lands.[13] Furthermore those who were active against the English in these years were all men with whom the Sinclairs had connections at the local level as well as at court. That at least some of the time Douglas was basing his operations in the Sinclairs' territory of the Pentlands suggests a certain degree of cooperation between the Sinclairs and Douglases.[14]

The interest in the chivalric culture continued in subsequent generations. William, the son and heir of the previous William, went on a Prussian crusade in 1358. The timing of this journey is interesting, considering the recent return of David II. Logically, William, had he desired a more active court role, should have emulated other knights, such as Preston, Haliburton and Edmonstone, in his immediate social circle by remaining close to the king. Certainly in late 1357 and in 1358 he was amongst those supported by David, with a land grant and the reaffirmation of his right to the pensions first granted to his grandfather, father and uncle by Robert I in 1328.[15] Yet, these grants may have deliberately echoed the original pensions granted just before, and for use in, the crusade to Spain, which was designed to advertise the glory of Scotland.[16] William's crusade, and the fact that it was financially supported by the Crown, could well have been an advertisement of the king's return to power.

The widespread nature of the Sinclairs' territories, by the late fourteenth century including lands in Berwickshire, Edinburghshire, Aberdeenshire, Orkney and Shetland, raises important questions concerning the daily management and control of these regions.[17] It is clear that the earls could only periodically visit the two areas of Orkney and southeast Scotland. Movement between the two, while straightforward,

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[13] Balliol and Edward III's forfeitures in 1335-6: Henry Sinclair saw the forfeiture of one third of the barony of Roslin along with the dowry of his wife Alicia Fenton: lands in Cousland, Pentland, and Roslin; his relative John Sinclair forfeited the baronies of Cousland, Pentland, and Roslin; all these lands went to Geoffry de Moubray, a supporter of Balliol. *Cal. Docs.*, iii, no. 332, 335, 382

[14] M. Brown, *The Wars of Scotland*, 239, 241

[15] *RRS-David II,* no. 140, 173; *Newbattle Reg.*, 295-6, 310-11

[16] *RRS-Robert I,* p55, no. 360; *ER, ii,* p.lxxvii

[17] It also raises interesting questions regarding the allegiance and control of the islands, see Appendix for a brief comment on this and the difference between the Northern Isles and the Western Isles.

was dependent on maritime travel with its unavoidable seasonal limitations.[18] Symbolic representation of the family's power is evident in both regions. The first earl pursued building projects in both areas. Upon acquiring Orkney he built a castle at Kirkwall; little is known about this residence, but it is clear that it was built without the permission of the Norwegian king and in a prominent location on the harbour opposite the cathedral and bishop's palace.[19] The castle at Roslin was started in the mid-1300s and a date of *circa* 1390 has been ascribed to the round southwest tower.[20] The third earl's construction, Roslin chapel, was an exuberant statement of wealth and personal piety. Begun in the mid 1440s this chapel should be seen in the context of other building projects in the region at this time: the major expansion of Crichton castle, which included a new great hall; Borthwick's tower house, worked on by some of the same masons as Roslin; the expansion of Craigmillar castle, which featured a machicolated curtain wall similar to that built by the fourth earl of Douglas at Bothwell in the 1420s; and the expansion of St Giles collegiate church.[21] These were lavish statements of wealth and power in a society acutely conscious of symbolism; it has been suggested that this building boom reflected both competition within the nobility, and a conscious emulation of royal building patterns, with the Crichtons in particular building in a style similar to that of James I's reconstruction of Linlithgow.[22]

On the surface the third earl's creation of Roslin chapel suggests his primary area of investment was the southeast; but at the same time he was embarked on another expensive project: the systematic acquisition of private or conquest land in Orkney and Shetland. Held separately from the crown and earldom lands in the

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[18] The traditional shipping season ran from February to November. Ditchburn, 'Trade with Northern Europe', 171

[19] *Orkney Recs.*, 22, 33, 48-9.
The site is now a hotel; the castle was completely ruined by the 1700s but had already been made redundant by the palatial palace built in 1600-07 by Patrick Stewart, earl of Orkney.

[20] RCAHMS: Canmore Database: Roslin Castle. However, this may have been an addition by the second earl, according to Father Hay. Hay, *Sainteclaires, 20*
The expansion of Dirleton castle under the Haliburtons was probably ongoing at this time.

[21] Stevenson, *Chivalry,* 121-3; Tabraham, *Castles,* 75-9

[22] G. Stell, 'Kings, Nobles and Buildings of the Later Middle Ages: Scotland', *Scotland and Scandinavia 800-1800,* (1990) 61,66
This was a habit better expressed elsewhere, in France where the bureaucracy was larger, wealthier and had been established since the 1300s the habit of Crown servants displaying their wealth through increasingly exhuberant architecture was evident from that date. Jones, 'The Material Rewards of Service in Late Medieval Brittany' 119-144, 128

islands, this conquest land accounted for half of the earl's holdings in 1468 when he lost his title as earl to the Scottish crown. Despite that loss he remained the largest landowner in the islands aside from the king.[23] This project, lacking any physical remains, is less apparent today, but for contemporaries it would have been just as impossible to ignore as the construction of a building.[24] He also, in 1448, founded an altar in St Magnus Cathedral in Kirkwall.[25]

On the basis of physical evidence, it would seem that the Sinclairs were active in both Orkney and their southeast baronies. The question of how they managed these widespread regions is more complex. Indirect control through agents was a standard form of practice in this period. Magnates with holdings in multiple regions required decentralized administration with supporters in all regions.[26] For the Sinclairs the recruitment of men loyal to their interests was vital due to the complete absence of any form of social or political overlap between the southeast and Orkney. Additionally, they relied on cadet branches of their own family to sustain links. Although it was William's son, Henry, who was the first Sinclair earl, the family's presence in the Northern Isles was established from the mid-1360s by William's brother, Thomas, and his son, Alexander. Thomas was the Norwegian baillie of Orkney in 1364 and contacts were cultivated with the earl of Ross, the primary Scottish power in the region, from whom both men received patronage.[27] The Ross connection laid the foundation for the family's sustained northern involvement. Ross had brokered the marriage between Isabella, his ward, and William in the 1350s from which the claim to Orkney was derived.[28] It is impossible to evaluate accurately the relationship between the two branches of the family. On

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[23] B.E. Crawford, 'William Sinclair, Earl of Orkney and his family: a Study in the Politics of Survival', in K.J. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985), 240

[24] In 1466 the Norwegian king Christian stated to both the Pope and James III that his sworn man in Orkney was the bishop and not the earl
Kirkwall Chrs., 110-11

[25] *Diplom., Norv.*, xx, no.857

[26] Saul, *Knights and Esquires*, 85-6. The scattered nature of the Sinclair estates meant that delegation was critical. However, this was likely informal 'counsel' See J. Wormald, 'Lords and Lairds in Fifteenth Century Scotland', 186 rather than a formal organization like that common in England, Rawcliffe, 'English Noblemen and their Advisors', 158

[27] *Abdn Reg.*, i, 106-7; *Orkney Recs.*, 15-18; *RRS-David II*, 497-8; *A.B. Ill.*, ii, 383
Thomas died by 1370, his son Alexander succeeded to his estates at that time.
For Ross' control of the region until his death in the early 1370s see: Crawford, 'The Earls of Orkney-Caithness', 131-33

[28] *Caithness Recs.*, i, no. 91

the one hand, the continuing relationship between the cadet line and Ross may have been a liability for Henry, William's son, when he was first pursuing his claim, as it may explain why Robert II backed Alexander d'Ard's claim to the earldom in an attempt to avoid strengthening Ross' control in the north.[29] The family's presence in the region for over a decade must, however, have laid the groundwork for some contacts at the local level, thereby easing the transition for an otherwise predominately southern family.[30] The two other claimants to the earldom in the 1370s lacked these local contacts. For d'Ard their absence may partly explain his failure as governor of Orkney in 1375, which would otherwise have been extended to a permanent grant of the earldom. Malise Sperra, the other claimant, may have been equally foreign to the isles, as the family was Swedish in origin.[31]

The first two earls relied on their immediate family for support. In 1391, in Kirkwall, Henry granted his brother David land in Aberdeenshire in exchange for his service and for giving up his claim on Orkney. The timing and location of this grant strongly suggests that the two had been working in tandem against Sperra, who had been a challenger to the Sinclairs until his murder by Henry in Shetland in 1390.[32] Henry may also have been aided by his uncle John, who appeared beside him in southern affairs: the two men were witnesses to a transaction between the Haliburtons and Prestons in 1384 and were present at the meeting in Haddington held by Carrick in 1388.[33]

The second earl also worked closely with his brother, John, and probably another brother, William. In 1406 John and William were hostages in exchange for Henry, who had been captured by the English, along with James I, on their attempted

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[29] *Caithness Recs.*, i, no. 120, 121; *Orkney Recs.*, 18-21

[30] It is remotely possible that Henry's brother John was also in the region in the 1360s: a John Sinclair is listed as a witness for the dispute settlement between the bishop of Orkney and the Norwegian governor in 1369, but precise identification is impossible.
Orkney Recs., 15-6

[31] Malise Sperra and Alexander d'Ard: Sperra's main connections were to Sweden; d'Ard held limited amounts of land in Caithness and briefly enjoyed the support of Robert II and the Norwegian crown, but proved incapable of ruling the earldom. *CSSR*, i, 161-164; *Orkney Recs.*, 18-21
Sperra was a contender for the earldom and was granted Shetland; following several years of feud Sinclair ambushed and killed him in Shetland in 1390, apparently when the two men were returning from a general council in Norway.

[32] *Orkney Recs.*, 27-8; Crawford, 'Earls of Orkney-Caithness', 238-9

[33] B30/21/3; GD122/1/144

voyage to France.[34] John was released shortly thereafter, and in 1408 was again in England to meet with the English king along with Henry's brother-in-law John Forrester.[35] John's service to his brother was recognized in an unusual grant of 1410. This gift of forest land in Pentland Moor was confirmed by Albany; its odd nature is noted by Gilbert in his study of forest lands in Scotland:

> In James I's reign only two grants [forest grants] survive and both are from the period of Albany's governorship. That the duke of Albany might make a grant at all was remarkable, since this broke the royal monopoly of the forest grant, although it could be argued that as governor he was entitled to do so. What is more remarkable is his confirmation in 1410 of a forest grant made by Henry Sinclair, earl of Orkney since it recognised the right of barons to create reserves without a royal grant.[36]

Two things are suggested by this grant. The first is Albany's need for support in order to retain some semblance of balance in the face of Douglas' southeast monopoly and the consequent pressure on Albany from prominent members of the southeast nobility at this time, which may have led to this unusual grant being permitted. The grant also suggests a close relationship between the two Sinclair brothers.[37] A year later John was Henry's deputy and procurator delegated to redeem land wadset to Walter Lindsay.[38] In 1411, Henry resigned lands in Aberdeenshire during the general council. These lands were then immediately granted to John.[39] John's close relationship with Henry may have allowed the family to spread its appearances more broadly than would have been possible for a sole individual. In 1412 Henry and the earl of Douglas arranged a substantial pilgrimage to go to the continent.[40] In the following year, John was one of the members of the embassy that petitioned for the release of James I.[41] This could represent a practical division of tasks within the family, two active brothers working in tandem giving the family the

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[34] Unless this William was William Sinclair of Herdmanston, active at the same time, who went to England in exchange for the earl of Douglas. This is the only appearance of William Sinclair brother of the earl of Orkney. *Cal. Docs.*, iv, no. 700, 702-3

[35] *Cal. Docs.*, iv, no. 758

[36] Gilbert, *Hunting,* 187; *RMS,* i, no. 931

[37] See section on 1406-20, 131-136

[38] Hay, *Sainteclaires*, 59

[39] *A.B. Ill.*, iii, 95
These lands had been given to Henry's uncle David by his father (also Henry) in 1391, but returned to the main family line some time after that date.

[40] Bower, *Scotichronicon*, viii, 83; *Cal. Docs.,* iv, no. 834

[41] This embassy is odd: the brothers of the earls of Douglas, Orkney and March and the brother or uncle of the Haliburton head are all included. *Cal. Docs.*, iv, no. 872

opportunity to network with the important players in their region. Certainly, there is no hint of any conflict of interest such as that implied in the Haliburton family.[42] Both Henry and John were supporters of James I, reasonably in favour with Albany and close to Douglas.[43] Additionally, both benefited from the uplifting of the customs that occurs under Douglas during these years.[44] Nor was John's participation limited to the southern interests and estates of his brother. In 1418 the Norwegian king appointed him as the *foud* of Shetland.[45]

The lack of evidence indicating that Henry spent time in Orkney as earl creates the assumption that he was indifferent towards the region, despite his use of the title.[46] This, however, is an unsustainable charge. His control of the earldom, in addition to his brother's work, was directed through three or four individuals, Isabella of Strathearn (the mother of the first earl), Thomas Sinclair, James of Cragy and David Menzies of Weem. The latter two were married to sisters of the second earl.[47] It is difficult to judge accurately Isabella's level of influence. The only evidence for her presence is the note in the Diploma, which was drawn up in the 1420s to present William Sinclair's claim as the third earl, stating that she outlived her son the first earl, that she resided in the region and that those presenting William's case in the 1430s had spoken to those who knew her. Thomas was almost certainly a descendant of the earlier Thomas Sinclair who had been active in both Caithness and Orkney under the patronage of the earl of Ross.[48] Thomas would become the leader of the effort to install the third earl, in opposition to Menzies, and

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[42] See Haliburton section, 220-231

[43] *Cal. Docs.*, iv, no. 758, 834, 872; *RMS*, i, no. 931; Fraser, *Douglas*, iii, no. 351; GD350/1/948

[44] *ER*, iv, 144, 224

[45] *Diplom. Norv.*, ii, no. 647
The foud was essentially a governor and head of both administrative and judicial councils
Orkney Recs., 69

[46] He almost certainly had been to Orkney, given that his father spent considerable time there. Legally his use of the title was contestable because the first earl's grant stated that the earldom returned to royal control upon the earl's death, it was only to be granted out to the heir in return for homage in person. However, he is referred to as the earl and used the title on his seal. Laing, *Catalogue*, 123; *Orkney Recs.*, 21-26
There is a serious objection to comparing his lack of contact with the Scandinavian court to his father's repeated contact: the union of Kalmar in 1397 removed the Norwegian royal council and consequently removed the legal requirement that all Norwegian earls had to attend the council.
T.K. Derry, *A Short History of Norway*, (London, 1957) 73

[47] *Orkney Recs.*, 32-3, 35-6

[48] *Abdn. Recs.*, i, 106-7; *Orkney Recs.*, 15-18; *RRS-David II*, 497-8
Thomas died by 1370, his son Alexander succeeded to his estates at that time.

later acted as a warden for William.[49] Henry's two brother-in-laws were equally influential: James of Cragy, laird of Hupe, was a lawman of Orkney and prominent in the community. David Menzies was deputized by the second earl as his agent. Only this latter choice was ill-founded. Menzies was accused in 1418-20 of abusing his position, and briefly became an agent for the Danish Crown, before being removed by William in 1425.[50]

The Sinclairs were not as active in the southeast as other families; but they were well connected within the region. The first earl's supporters for his claim to Orkney graphically illustrate the predominately southern aspect of his network.[51] The group sending letters of witness included the bishops of St Andrews and Glasgow, the earls of Douglas and March, Walter and Alexander Haliburton, Hepburn, Edmonstone, Abernethy and Ramsay. This was a powerful but relatively narrow group geographically, confined to southern Scotland. The group with Henry in 1379 in Norway also had a strong southeastern component: Simon Rodde and William Daniel (the only two knights), Malise Sperra, William and David Crichton, Bikerton, Adam of Byberton, Thomas of Bennyne and Andrew Haldanystone (all esquires). With the exception of Sperra and the Crichtons, this was a group of minor nobility. None of these families, at this point in time, were particularly powerful either within the southeast or elsewhere. Only Sperra was definitely not southeastern and of the others only Rodde and Daniel are of uncertain location. The composition of this group supports the impression that prior to their elevation to the earldom the family was not a major power.

The first earl's interest in securing Orkney drew him away from the southeast. In 1379 he was in Norway and almost certainly spent some time in Orkney.[52] He remained active in the islands during the following years, possibly orchestrating the murder of the bishop in 1382-3. This act eliminated his most serious rival and permitted him to attempt to appoint as bishop a probable kinsman, who was also loyal to Avignon and not to Rome, to which the churches of Norway

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[49] *Orkney Recs.*, 39, 330; *Danicae* 2nd ser. i no. 4726
[50] *Orkney Recs.*, 31-3, 35-6
[51] *Orkney Recs.*, 24
[52] *Orkney Recs.*, 24; *Diplom., Norv*, i, no. 458

and Orkney remained obedient.[53] In 1384-88 Henry's recorded appearances are, however, all in the southeast and are connected both with the military campaigns and with the social network of the region. He was a witness to charters between the Haliburtons and Prestons, as well as to those of Robert II and Carrick.[54] The value of these relationships was illustrated in 1387 when the earl of Douglas supported Henry in an agreement with Malise Sperra, in which Sperra accepted Henry's actions against Sperra in Orkney.[55] During this period he did have contact with Norway, presumably over Orcadian matters, but it seems to have been only through correspondence rather than his personal visits.[56] In late 1388, however, the succession of Eric of Pomerania to the Norwegian throne demanded Henry's presence in Norway and the resumption of open conflict with Malise Sperra in late 1389-90 required Henry's attention in Shetland. He was, furthermore, in Orkney in April 1391, while an English safe-conduct from March of that year suggests that he was travelling and probably not in Scotland.[57] Unlike his 1379 absence from Scotland, his 1388-91 absence, coming during a period of internal and external conflict in both southeastern Scotland and Orkney must have stretched his abilities. Henry's support for the Scottish campaigns against England had negative repercussions in Orkney: in 1389-91 he was complaining to Queen Margaret of Denmark of English attacks on his ships. While Richard II apparently agreed to consider the matter, he also stated that Henry was considered an enemy of the English.[58] His Orcadian concerns may have been the reason for his complete absence from any involvement in the Douglas inheritance dispute of these years.

In the last ten years of his life, Henry split his time between the two regions.[59] Nonetheless, the periodic attacks, by both English and Lewis raiders, on Orkney, one of which cost him his life in 1400, seem to have kept his focus on that region. This may have been by English raiders; if so it could illustrate, as in 1389-91, the negative

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[53] *CPL-Clement VII.* 88, 101-2; *Diplom. Norv.,* xvii, no. 134-35; *CPL,* iv, 336; vi,i 118; *CPP,* i, 575; *Orkney Recs.*, 45 This failed and a Roman bishop remained in place throughout the Schism.
[54] GD122/1/144; B30/21/3; *St. A. Lib.,* 416
[55] Fraser, *Douglas,* iii, no. 337
[56] *Diplom. Norv.*, ii, no. 515; iii, no. 455
[57] *Danicae*, i, no. 2826, 2838; *Diplom. Norv.*, iii, no. 484, v, no. 484; *Orkney Recs,* 27-8
For the conflict with Sperra see: Crawford, 'Earls of Orkney-Caithness', 238-9
[58] Macdonald, *Border Bloodshed* 120; *Danicae,* i, 2838
[59] *Orkney Recs.*, 78-8; *RMS*, i, no. 824, app.2 no. 1732; *Bannatyne Misc.,* iii, 81

repercussions of Henry's Scottish allegiance.[60] However, these attacks did not represent a sustained threat to his claim to the earldom, unlike Malise Sperra. Nor was there any pressure by the Norwegian-Danish crown for the new earl's presence in Copenhagen. Orkney could be effectively run from a distance; the southeast of Scotland, however, offered unparalleled opportunities of advancement for the second earl, another Henry, who came into his estates at a time of severe unrest in Scotland and particularly in the southeast.

Henry was not closely associated with the fourth earl of Douglas in the way the Swinton, Hepburn, Herdmanston, Edmonstone or Maitland families were, all of whom were either frequent witnesses or received land grants.[61] His appearance as a Douglas witness at Lincluden in 1401 was a statement of acceptance, if not enthusiastic support, for the fourth earl's actions, which included his control of the earldom of March and the lordship of Annandale.[62] While the Douglas connection was maintained by Henry, it was not, until post 1407, his primary focus, and in 1404-06 his backing for Robert III placed him at odds with Douglas. In 1402 he took part in the battle of Homildon Hill and was captured, but was back in Scotland by the middle of 1404.[63] At this time Henry seized the opportunity presented by Robert III's renewed determination to take back control of his kingdom, especially in the southeast. As well as being a frequent witness for Robert III in these years, he was also granted a relief from payment of the castle ward dues owed on Roslin and had his claims to Roslin, Pentland, Pentland Muir, Cousland, Merton and Mertonhall confirmed, a solid block of estates in the heart of the Edinburgh hinterland.[64] The brief partnership of Henry and Fleming, centred on promoting Robert III's power and their own, was a radical departure for the Sinclairs. While the family had been close to royal circles under Robert I, it was not active at court under David II, in comparison to other members of the southeast community, and was virtually absent under Robert II and for most of Robert III's reign. This new partnership, with its focus on the promotion of royal power, set a pattern which was followed successfully

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[60] *Acts of the Lords of the Isles*, i, 69; *Bannatyne Misc.*, iii, 81; *Anglicana*, ii, 246; Ditchburn, 'Piracy', 48; Macdonald, *Border Bloodshed*, 140

[61] See 1400 section, 102-106

[62] Fraser, *Carlaverock*, 417

[63] Mss Abergavenny, 77-8; GD25/1/26

[64] Hay, *Sainteclaires* 62; Mss Mar and Kellie i, no.7; *ER*, iii, 624; *St A. Lib.*, 416; *A.B. Ill.*, iii, 200-1, iv, 458-9

by both Henry and his son William. For the next sixty years the Sinclairs would be consistent supporters of the Crown, though not necessarily active political players.[65]

Henry first appears as a witness for Robert III in August 1404; for the remainder of that year there is no record of his appearances at the royal court.[66] It is, however, clear that by January 1405 he was a firmly established member of Robert III's court when the king confirmed his holdings of the baronies of Roslin, Pentland, Pentland Moor, Cousland and Merton and Merton Hall, in addition to releasing him from the castle ward dues of those properties.[67] Orkney's elevation is indicated as well by the fact that in 1405 he was receiving payment from the Aberdeen customs for John of Drummond, the son and heir of Malcolm Drummond, the Queen's brother.[68] In early 1405 his position was, by utilizing the possible connections to the Crown, clearly defined and multi-dimensioned. His position as a Lothian nobleman holding a territory not far from the business and political centre of the region, Edinburgh was confirmed and the financial position of those estates was improved. Additionally, Henry was acting as the legal agent for the heir to the Queen's brother; an indication of his close, and presumably, trusted relationship to the Royal family. He had active links therefore to both regional and royal circles. Henry also demonstrated the multi-regional aspect that was necessary as well for an influential noble to cultivate; excluding the northern isles, he had properties in Lothian, Fife and Aberdeen. In terms of projected military power he was not a major player. More localized lords, such as the Haliburtons, may have had larger affinities, but in terms of financial resources and contacts on the east coast Henry was an extremely useful individual.

Part of his value was the complex nature of his relationships. Although the actions of 1404-6 suggest that he was taking advantage of Douglas' absence, the southeast power vacuum and the resurgent energies of Robert III, Henry's other connections, including those to Douglas, were not entirely neglected. The relationship between Douglas and Henry must be seen alongside the tension between Fleming and Balveny and between Robert III and the earl of Douglas. Henry and

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[65] For a full discussion of the political events of 1404-6 both at court and in the region see: Boardman, 'Endgame', *Early Stewart Kings*
[66] GD25/1/26
[67] Hay, *Saintclaires*, 62
[68] *ER*, iii, 630

Fleming's support for Robert III and his heir was a challenge to Douglas' expansion of political control in the southeast, particularly to the positions of Douglas' agents, such as Balveny's control of Border affairs.[69] This was in direct conflict with the king's patronage of Henry and Fleming, patronage which attempted to circumvent Douglas control of local positions, especially in the case of Fleming.[70] Yet, this was not a complete rupture, at least for Henry; in January 1406 he was issued a safe conduct to go to England as a hostage for the earl of Douglas, along with Walter Haliburton. This arrangement was disrupted by the events of that February.[71] Ironically, he may have used this safe conduct to facilitate his release following his capture in the company of James I. The existence of these safe conducts is a useful reminder that the action at the royal level, even in this polarized situation, did not negate other overlapping connections.

Henry's prominence in the early 1400s was not based solely on the family's wealth, but also on the exploitation of a set of marriages which created a widespread network. Many of the families involved in these marriages either had similar records of service to the crown or were supporters of the Sinclairs in Orkney. In 1396 Henry's daughter married John Drummond of Cargill, giving the Sinclairs a useful link to a family outside of their standard orbits of the southeast, Douglas and Orkney.[72] This linked the family to the queen, Annabella Drummond, and to the Rothesay faction, which may help to explain Orkney's support of the royal dynasty in opposition to Douglas and Albany leading up to 1406, even after the queen and Rothesay's deaths.[73] Later marriages were more valuable in the politics of the Albany regency and the court of James I.[74] Two daughters married men who would be prominent in the royal court of the early 1420s: John Forrester and Thomas Somerville of Carnwath.[75] Forrester was a particularly valuable ally as he had been the deputy chamberlain since 1405 and the two families worked together on diplomatic embassies under Albany.[76] Although Forrester would take another wife,

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[69] Fraser, *Douglas,* iv, 63-5
[70] See Herdmanston section for Fleming, 258-262
[71] *Cal Docs,* iv, no.702, 703; *ER,* iii, p.xliv-v; GD25/1/26; *Rot Scot.*, ii, 177
[72] Malcolm, *Drummond,* 42-43
[73] *ER,* iii, 630
[74] See Appendix for the third earl's career under James I and II, 312-319
[75] Scots Peerage.
[76] Balfour-Melville, *James I,* 254; *Cal. Docs.*, iv, no. 758; *RMS,* i, no. 902

the widow of Sir John Stewart of Dalswinton, this connection to the Sinclairs remained of great importance to the family; John's tomb displayed the Sinclair arms impaled on the Forrester arms. Additionally, it was remembered in later generations: the tomb of Alexander Forrester, active in the 1460s and grandson of the Forrester-Sinclair marriage, included the Sinclair arms in two positions: the first impaled, the second was a shield with the Forrester arms and the engrailed cross of the Sinclairs placed in the middle.[77] Alongside the network of individuals in the southeast and/or associated with James I's court, the Orcadian network was also cultivated: two other daughters married James of Cragy and David Menzies of Weem.[78] Although the Menzie connection ended in the acrimonious dispute over David's management of the islands, the Cragy connection remained valuable as the family was prominent in the ruling councils of Orkney throughout the fifteenth century. Lastly, a daughter married into the Cockburn family and another one may have married Heron of Marieton, probably a member of one of the smaller southeast families.[79]

It must be emphasized that the social or political benefits of a marriage alliance were not necessarily lasting. It has been argued that of the various social contracts, the marriage contract was one of the weakest forms of alliance; primarily because in Scottish society kinship was agnatic and in most the cases the wife, and her blood relatives, acted mainly as a link to her husband's family rather than being assimilated. While a marriage would bring two families into contact, it did not impose obligations on the wife's male relatives.[80] This was especially evident with remarriages of widows, such as the two Haliburton marriages to the widows of Rothesay and the earl of Ross, which tied the Haliburtons to Douglas and Albany respectively and not to the kin of the wives' former husbands. But it means that allegiance created by a marriage contract can only be assumed in the immediate period around that marriage, although there was a potential influence on her children. Nowhere is this clearer than with the Sinclairs. The 1370s Sinclair-Haliburton marriage alliance was not a barrier to conflict between the two family heads in the following generation: in 1406, the second Sinclair earl, the son of Jean Haliburton,

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[77] 'argent a cross coupe engrailled sable between three hunting horns'
Laing, 'Forrester Monuments', 360-2
[78] *Orkney Recs.*, 34-6
[79] *Inchcolm Chrs.*, 166
[80] Plakans, 'Households and Kinship Networks', 62; Wormald, *Lords and Men*, 79

was a supporter of Robert III, his heir James I and Fleming, while the Haliburtons took to the field on the opposing side; and during the 1450s Orkney lead the royal army against his Douglas nephews.[81]

The Sinclairs actively pursued marriage alliances with the earls of Douglas in the early fifteenth century. In 1407 Henry was married to Egidia, the niece of the fourth earl of Douglas and daughter of Douglas of Nithsdale and Egidia Stewart, daughter of Robert II.[82] Douglas granted Henry the barony of Herbertschire in Stirling, for his aid and counsel, and Egidia's dowry included the lordship of Nithsdale. The grant of the barony is the only land-grant by Douglas to the Sinclairs. The marriage enhanced the family's social status and linked it to a royal and chivalric aristocratic heritage.[83] But the contract was more significant for what it signalled politically. In 1407 Douglas was the power in the southeast, but Henry, while unable to challenge him directly, represented a potential alternative in the region. This faction, if it can be called such, continued to correspond with James I and in some cases defied Douglas power, as was demonstrated by the Haddington custumars continued correspondence with James I during his captivity and the lack of any customs uplifting by Douglas from Haddington.[84] Henry had vividly, if ultimately disastrously, demonstrated the potential of this alternative power source in 1405-06 with his alliance created at Robert III's court with the royal heir, James I, and Fleming. His friendship with the earl of Mar, evidenced by their English visit in 1407, was a further indication that Henry was not simply another second-rank noble from the southeast, distinguished solely by a title to a foreign earldom, but an individual who had connections of his own, connections which tended to be associated in some way with the royal family.[85]

The Nithsdale grant by Douglas to Henry in 1407 marked an important point in the politics of the southeast, as it signalled that the tensions of 1404-06 were no longer dominant. From 1407 the two earls were allied. The Herbertschire grant was

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[81] *Chron. Auchinleck,* 53; Pitscottie, *Historie,* i, 82, 85, 115
[82] Fraser, *Douglas,* iii, no. 351; GD350/1/948
This marriage may have taken place earlier, only the grant of Nithsdale was 1407; the concern of the marriage date is because the son of this marriage, William, was a member of James I's privy council in 1424, which, agewise, is barely possible. GD119/167*; Bower, Scotichronicon*, vii, 413
[83] Bower, *Scotichronicon,* vii, 413
[84] *Cal. Docs.,* iv, no. 758, 833, 872; *ER,* iv, 75-6, 125, 177, 198, 369
[85] *ER,* iii, 630; *Chron. Wyntoun,* iii, 103

witnessed by the earl's brother, James Douglas, Edmonstone, Logan of Restalrig, Forrester and Borthwick.[86] The inclusion of Logan and Forrester is particularly interesting. Henry had connections to the Forrester family both in marriage, John Forrester was his brother-in-law, and in business relations, including an annual payment from Henry's coal pits in Dysart. The annual may have originated from Henry's need for ransom following his capture at Homildon Hill.[87] A solid relationship with the Logans was also in the best interests of Henry for purely practical reasons: the Logans controlled the port of Leith. Henry not only had Orkney and Aberdeen fishing interests, but much closer to the southeast lay his holdings of Dysart and their coal pits.[88] Economically, the logical market for Dysart coal was Edinburgh; and that required regular access to its port. As well Henry owned at least one ship at this time, which was trading along the English coast. This investment in shipping was also shared by Douglas, who in these same years had merchants dependent on his protection trading along the coasts of Normandy, Flanders and England.[89] Although politically Douglas was the stronger of the two, their social status was technically equal due to Scotland's recognition of Henry's claim to Orkney. In 1412 the two men travelled to Flanders and to France. Their voyage was delayed by weather and Henry advised a visit to Inchcolm and an offering to St Columba. Bower, who records this incident, describes Henry as the earl's 'socii sui'; this wording suggests 'associate', 'partner' or 'companion', phrasing that carries overtones of social equality.[90] In the political context, Douglas' stronger position is suggested by the Exchequer account for 1415 in which the Edinburgh customs was appropriated by Douglas and 'ministri' under his authority, including Orkney.[91] Henry was an occasional witness for Douglas between 1407 and 1415; but he was not a regular member of the earl's affinity.[92]

Henry's death between 1418 and 1420 closed out a short but very active career. While his relative neglect of Orkney hampered his son's attainment of the

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[86] Fraser, *Douglas*, iii, no. 351
[87] *RMS*, i, no. 902 Forrester granted Henry 300 gold nobles, in exchange for a 20 mark annual (Scots) from Henry's coal pits at Dysart. This was probably a loan to pay off Henry's ransom following his captures by the English in 1402 and 1406
[88] *Orkney Recs.*, 27-8; *ER*, iv, 108; *A.B. Ill.*, iv, 79-80
[89] *Cal. Docs.*, iv, no. 697, 744, 764, 765; *ER*, iv, 108; *RMS*, i, no. 902
[90] Bower, *Scotichronicon,* viii, 83; *Cal. Docs.*, iv, no. 834
[91] *ER,* iv, 224
[92] Fraser, *Douglas*, iii, no. 357, 367; Fraser, *Maxwell Inventories,* no. 13; *RMS,* ii, no. 112

earldom, his connections, contradicting each other at the time of their creation, to James I, the earl of Douglas, Balveny and Forrester meant that the young third earl of Orkney, William, was exceptionally well connected right from the beginning of his career. These lasting connections, along with the family's diverse economic interests, were no doubt the reason behind William's position on James I's privy council in 1424-5.[93] His career would be marked by a pattern irregular attendance and influence at critical points throughout the reigns of James I, James II and the minority of James III.[94]

[93] GD119/167; *RMS,* ii, ad indicem
[94] For a very brief overview see Appendix, 312-319

Minor Nobility: Herdmanston

One of the defining differences between types of nobility is the degree to which they are consistently involved with the Crown or with magnates. Defining rank by the noble's relationship to the Crown is the base for the divisions developed by Grant and generally accepted in current Scottish historiography.[1] The Haliburtons, by virtue of their multi-regional lands and their marriages within the highest levels of Scottish nobility, were a step above the majority of Lothian barons; as such their relations with other noble families are better classed as alliances rather than hierarchical agreements. The lack of defined affinities in the Lothian region cannot, therefore, be conclusively demonstrated by the Haliburtons or the similarly positioned Roslin Sinclairs. Other families, whose interests were predominantly regional or who were primarily associated with one magnate are needed to illustrate the argument. The tendency of the political structure to encourage overlapping allegiances and autonomous efforts by the minor nobility to further their positions through kin-networks, service and land is evident in these three examples, Sinclair of Herdmanston, Edmonstone and Grierson. The activity of these families illustrates the fact that this flexible structure was not confined to the 'great' barons, such as Haliburton and Orkney, or the families with mercantile and administrative interests. Edmonstone was somewhat similar to Haliburton, but on a lower level. While both Herdmanston and Grierson, the latter in particular, were local families with relatively little territory, they were able to command key roles within that local network.

The Herdmanstons are an interesting case because they occupied an unusual halfway point, involved with the magnates but not the Crown. They were, with a few important exceptions, exclusively local in their interests with few lands or contacts outside of the region. It was this lack of a Crown relationship and a lack of any significant contacts out-with the region, rather than a lack of direct contact with magnates, which differentiated the Herdmanstons from the Roslin Sinclairs or the Haliburtons during the late fourteenth century and which, therefore, placed them in a lower rank. The unusual nature of the Herdmanstons is not confined to this structural position, equally interesting is the fact that their contacts are confined to one particular family, the earls of Angus and the countess of Angus. Due to dynastic

[1] See: Grant, 'The development of the Scottish Peerage';Wormald, 'Lords and Lairds in Fifteenth Century Scotland: Nobles and Gentry?', 184-91

accident, the countess, half-sister of the Herdmanstons, would be in control of the Angus estates for the majority of the period between the 1370s and *circa* 1418.[2] For two generations the Herdmanstons were among the closest male relatives of the earls of Angus, George and William; during this period this kin relationship was the foundation for, and was probably a central part of, their administrative role as the supporters of the countess.

The Herdmanstons do not appear in the record as active participants during the Wars of Independence, a marked contrast to many other southeastern families. This may be a failure of the record, as an ancestor was granted the lands of Cesseworth by Robert I, reconfirmed in 1376; this was presumably in return for the family's support of Robert I.[3] In the 1360s they do, however, follow the general pattern of the Lothian nobility in that they were actively courted by David II. In 1366 and 1368 John Sinclair of Herdmanston was named as a witness for two royal charters. Both charters were for the neighbouring Cockburns and concerned land in the Haddington area, suggesting that his presence was due to geographic interest and not due to an interest in court affairs.[4] The relatively low status of the Herdmanston family is evident in other ways too. In neither charter were they named as knights, though the 1366 charter does style John as a laird. They were, however, named ahead of Maitland and Crichton as well as Simon Preston, then sheriff of Lothian. These two charters are the only evidence for the Herdmanstons directly participating in royal affairs. It is unsurprising that these two charters are dated to the 1360s. This decade was a high point in the Crown's direct interest in the southeast, an interest which ebbed under the Stewart monarchs. The 1360s also saw a concurrent initiative by the minor nobility in cultivating direct personal links with the Crown outside of those channelled through the magnates or by offices. It follows that this era was the most likely for involvement by a family such as the Herdmanstons with the Crown. That they did not pursue this relationship further should be put down to personal preference, since they were active members of the local community. That such

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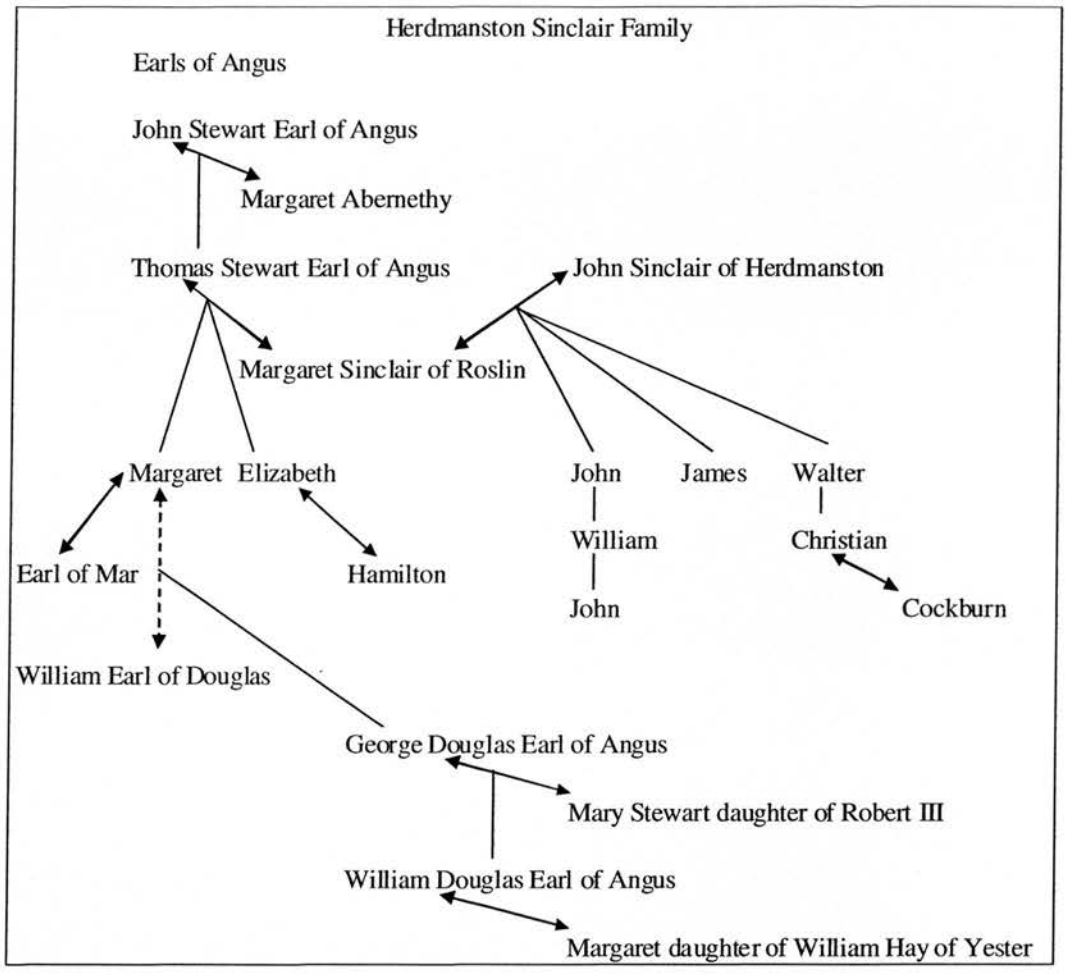
[2] See the Genealogical Table

[3] *RMS*, i, app2, no. 286
Their interest in the Crown only when administratively necessary is apparent in the circumstances of the Cesseworth charter's re-grant in 1376, i.e. the transfer of the land from one brother to the other.

[4] *RMS*, i, no. 231, 280

preference might exist is not a surprise. Reluctant nobility unwilling to pursue offices or attend parliaments is a well attested phenomenon in the later middle ages.



The Herdmanstons' prominence in the record was not created by extensive lands or by holding offices that ensured their appearance in written sources, as was the case with families such as the Lauders or Prestons. Rather, it was due almost entirely to the successive minorities that placed Margaret, countess of Angus, sister of the Herdmanstons, in control of the Angus family for a number of years. Shortly after the earl of Angus' death in 1362, his widow Margaret, the daughter of William Sinclair of Roslin, married a Herdmanston Sinclair. Scot's Peerage states that this was a William Sinclair, which seems unlikely given that the only William Sinclairs of Herdmanston appear under Robert I and post-1400.[5] The marriage was almost certainly to John Sinclair, lord of Herdmanston. From the late 1370s a John Sinclair,

[5] *SP*, i, 170

lord of Herdmanston, was also active, and this one was named as the half-brother to Margaret, countess of Angus and Mar, and daughter of Margaret Sinclair, the countess dowager. It is possible that the John active in the 1360s died around 1375, probably after he was a witness for the countess of Angus and Mar, since unlike the later charters he is not named as her brother in the list. John's dates of activity are circumstantially supported by a royal grant from 1376 in which Walter Sinclair is granted land by Robert II, which had been previously resigned by John Sinclair. This may be possible evidence for redistribution of estates in the family.[6] Certainly, by the summer of 1377 the active John was the half-brother of Margaret.[7] At this point the family was comprised of three brothers: John, James and Walter, all of whom were recognized as brothers of Margaret and cousins to the earl of Douglas.

The Herdmanstons did not actively maintain links to the Crown or consider marriages outside of the southeast; but this did not appreciably damage their standing within the region. Despite their absence from the record in the era prior to David II's return from England they are one of the better represented families in the region with some seventeen charter appearances between the mid 1360s and 1400, only the Haliburtons and the Douglases have more charter appearances. Additionally, the Herdmanstons provide one of the better examples of the non-specific nature of the political network in the region and the ability of minor nobles to cultivate multiple alliances with more important figures, as they were granted lands in the late 1370s by all three of the magnate families, Angus, March and Douglas.[8] On the whole the family's closest connection was with the Angus group. This was a connection both of blood and service in military, administrative and legal counsel existing from the 1370s into the 1430s. However, at two politically tense points, when the Herdmanston-Angus connection was probably under threat, the Herdmanstons are also on the record as receiving land grants and owing homage and service to March. These two times, the entrance of the Herdmanstons into the service of Angus in the mid 1370s and the period between 1388 and the mid-1390s when the Red and Black Douglas branches were most bitterly divided over the Douglas inheritance, illustrate

[6] Fraser, *Douglas*, iii, no. 28; *RMS,* i, no. 586,app.2 no. 286
[7] Fraser, *Douglas,* iii, no. 29
[8] Mss Marchmont, no. 2; Mss Milne-Home, no. 582, 590, 591; *A.B. Ill.*, iv, 724

the tendency for families to cultivate multiple ties to strengthen their position.[9] It would be unreasonable to assume a negative position concerning these various grants, the continued collaboration during the 1390s of the Angus and March families does not support the idea that either magnate was actively trying to poach the Herdmanstons in order to expand their influence or affinity.

The Herdmanston grants may not have been a sign of tension between these two south-eastern magnates; but they may indicate unease in regards to the position of Douglas. This idea, with its accompanying assumption of underlying hostility and competition, must be balanced by the ample evidence of military co-operation by the magnates. When March granted the Herdmanstons Polworth in 1377 he may, however, have been trying to re-affirm his relationship with the Herdmanstons to counter-act Douglas's continued expansion of power in the region.[10] A re-affirmation of an existing relationship could explain the countess of Angus' actions in 1377 and 1378 when she not only granted land to the Herdmanstons but used them as her agents and explicitly named them as her dearest brothers.[11] This may have been an attempt by the countess to maintain an affinity independent of Douglas; despite the evidence of a cordial relationship between Angus and Douglas, it is logical to assume that the countess did not wish for her political affinity to be completely swallowed by that of Douglas and took steps to avoid this.[12] Douglas' grant in 1377 of the lands of Carfra and Herdmanston in blenche ferme and in return for homage and service does not, however, fall under the category of re-affirmation;[13] rather this can be seen as a deliberate move to garner support in a region where local support for Douglas was largely absent. Because of the wide spread of Douglas's lands it was imperative for them to establish a strong network of local supporters in the area. The decentralized and personal nature of medieval administration meant that the greater lords required the support of the local nobility for the effective control of a region, no matter how great their resources were

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[9] Mss Marchmont, no. 2; *RMS*, i, app2. no. 1685
[10] GD158/1
[11] Fraser, *Douglas*, iii, no. 29; Mss Milne-Home, no. 582; *A.B. Ill.*, iv, 724
[12] The earl visits Tantallon several times in the late 1370s and early 1380s: Mss Strathmor, no. 11; *North Berwick Chrs.*, 37; Mss Milne-Home, no. 582; *A.B. Ill.*, iv, 724
[13] Mss Milne-Home, no. 590-1

elsewhere.[14] This 1377 grant by Douglas was part of a larger pattern during the 1370s and 1380s which saw the earl spending time in the southeast and actively soliciting the support of the Herdmanstons, the Roslin Sinclairs, the Lauders and Forrester amongst others.

It is interesting that all three grants by the magnates to the Herdmanstons in the 1370s use the phrase 'homage and service.' This implies a close relationship not limited to land transactions.[15] It must be remembered that the concept of service in this period is not interchangeable with the concept of loyalty. The two could be combined but were not inseparable, and the use of 'homage' indicates a certain degree of loyalty.[16] As one must accept that the usage of this phrase carried with it certain societal expectations, the Herdmanstons' ability to take an oath of loyalty with all three magnates is a definitive example of the inherent cooperative nature of the society and the value, to all concerned, of promoting such overlapping ties. Homage did not have to be an exclusive contract. Undeniably, however, the family had an especially close relationship with the Angus line, which is demonstrated by their success in establishing themselves as indispensable agents for Angus. The Herdmanstons were a valuable local resource for Angus due to their blood and marital links and their administrative abilities which are implied in several pieces of the evidence.

One of the earlier appearances of the Herdmanstons in connection with the Angus group was in 1377 when John, then the head of the family, was named as the agent of his sister, the countess, in regard to affairs connected with her lands and rents which she held as her terce in the earldom of Mar.[17] The wording of the letter, which was from the sheriff of Aberdeen, suggests that John was in the earldom and/or in Aberdeen on her behalf. This implies that his position as her agent was not a onetime deal, but that he was in a position where he had the resources and contacts to enforce her will outside of what would be considered traditional Herdmanston territory, a position similar to that Menzies or Thomas Sinclair undertook for the earl

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[14] Saul, *Knights and Esquires*, 85-6

[15] It must be remembered that usually service, though theoretically an open-ended arrangement, was limited to obedience to a few acts rather than 24/7 duty; it was this that allowed men to easily serve multiple lords. Horrox, 'Service', 70-1

[16] Horrox, 'Service', 71

[17] *A.B. Ill.*, iv, 724

of Orkney. Other hints that the Herdmanstons maintained this administrative position are suggested in later generations. In an unusual change from Angus' standard location of Tantallon, in 1397 a series of grants made by James Sandilands that gave the wardship of his son to Angus were drawn up at Herdmanston, itself, in the presence of several other prominent supporters of the earl. This suggests that the Herdmanstons retained a position of special prominence.[18] The administrative component of the Angus-Herdmanston relationship continued in the next generation. In 1400 William, John' son, first appeared as the notarial witness for transumpts made at the friary in Haddington of several earlier charters granted by Angus.[19] Then in 1408 William was acting as the attorney for William, earl of Angus, who had succeeded following George's death in 1402.[20] In the following year William, along with Orkney, arranged a marriage alliance between Angus and the daughter of William Hay of Lochorwart.[21] In these instances it is clear that the Herdmanstons were acting in the interests of the Angus family. It is unclear what material benefits the Herdmanstons gained in these transactions. However, service of this nature did bring immaterial benefits of status by elevating the family above other local families due to their personal proximity to greater lords.[22]

The Herdmanstons, unlike the Lauders whose allegiance moved from Douglas in the 1370s to the Angus group after Otterburn, were supporters of the countess and the Angus group first and Douglas second. By aligning themselves with the Angus group the Herdmanstons were the foremost individuals in that affinity because of their kinship with the countess. In contrast, their presence in the Douglas affinity, as may be observed in the early 1400s when they served Douglas by providing hostages, was always going to be far less close simply because of the

[18] Fraser, *Douglas,* iii, no. 46, 49
[19] Fraser, *Douglas,* iii, no. 50
[20] Fraser, Douglas, iii, no. 53
[21] *Yester Writs,* no. 45
[22] Baronial councils were the general source for executors in minorities in England, creating an element of continuity. While in no way suggesting that the Herdmanstons were part of a formal council for Angus, their counsel in the Scottish style probably served a similar function. See Rawcliffe 'Baronial Councils' and 'English Noblemen and their Advisors' for the English councils which were highly complex, largely due to the legal demands placed on them.
For the problem of council/counsel and the English/Scottish differences: Rawcliffe, 'Baronial Councils', 100 and Wormald,'Lords and Lairds', 186

sheer size of the Douglas affinity.[23] In these two relationships kinship ties were probably a deciding factor in determining allegiance and gave a clear advantage to the Herdmanstons in their association with Angus.

After Douglas' death at Otterburn in 1388 the countess regained her position as head of the Angus family. At this time the Herdmanstons' privileged position as 'carissimo fratri nostri' or 'our dearest brothers' was stated in nearly every one of their charter appearances.[24] Given the Herdmanstons' very close familial relationship to the countess and her son, combined with their geographic proximity to the Angus group, the concurrent geographic distance to Archibald Douglas' main territories in Galloway and his historic lack of involvement in the area, it is no surprise that the Herdmanstons remained staunch supporters of Angus. Nevertheless, as always, this support required the appropriate appreciation and rewards and the November 1389 grant was probably an expression of this.[25] This grant by Margaret to Walter, 'carissimo fratri nostro,' of Lytilpoty, Petwersy, and part of Petblay in the barony of Abernethy, Perthshire, was for his homage and service.

The Herdmanstons' position was not entirely dependent on either their familial connections or their administrative abilities. They were also staunch military supporters of both Angus and Douglas, in the case of Douglas especially post-1400, gaining the notice of the chroniclers in 1388, 1402, and 1405-6.[26] The events of the summer of 1388 are the only time the Herdmanstons are mentioned during the conflicts of the 1370s and 1380s. Their position at Otterburn strongly suggests, however, that they were active and valued members of Douglas' contingent. Froissart states that upon the fall of the earl the Douglas banner was passed to John and Walter in conjunction with James Lindsay, all cousins of the earl. Also mentioned in this group were Glendinning, another Douglas cousin, and the Hepburns. The composition of this group is interesting: if the banner was in fact passed to Lindsay and the Herdmanstons it may indicate that Douglas' army had two distinct groups within it: those coming from the southeast, led by Herdmanston and

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[23] Horrox's comment about service as useful to both parties needs to be kept in mind: 'For a servant, his links with a lord constituted a public statement of the value attached to his abilities or standing. More important, carrying out the lord's commands allowed him to demonstrate his own power.' Horrox, 'Service', 66; *Cal. Docs.*, iv, no. 706, 707; Fraser, *Douglas,* iii, no. 52

[24] Fraser, *Douglas*, iii, no. 41, 42, 340; *A.B. Ill.*, iv, 161-2

[25] Fraser, *Douglas*, iii, no. 42

[26] *Froissart;* Bower, *Scotichronicon,* viii, 45; *Chron. Wyntoun*, iii, 94-5

Hepburn, and those from the Mid and Western regions, as represented by Lindsay and to a lesser degree Glendinning. The latter two men were, and continued to be, connected to Douglas; but for the Herdmanstons the relationship with the Douglas family was both more complex and more fragile. Their connection to Douglas came through the Angus and Mar earldoms, not by geographic proximity to the Douglas lands and this crucial difference would become much clearer in the ensuing split. Unlike Lindsay or Glendinning, the Herdmanstons only appear with Douglas in the southeast; they did not travel with him as the other men seem to have done.[27] There was a further difference between the western and eastern group as a whole. The Herdmanstons and Hepburns were not solely Douglas men for they owed homage to March as well.[28] This ensured that any support for Douglas was, perforce, circumscribed by their obligations to the other magnates. March's prominent position in the aftermath of the battle no doubt was due in part to the fact that much of the host had obligations to him or to his brother, Moray, also present.

There is relatively little charter evidence from the 1390s, at least in comparison to the previous or following decades. The few appearances made by the Herdmanstons in this decade demonstrate their willingness to support Angus and locally to oppose Douglas of Dalkeith, who was a supporter of the third earl of Douglas.[29] A continued willingness to support March was also evident until the earl's defection in 1400, which severed the connection.[30] Three of the Herdmanstons, including William, were at Homildon Hill: Walter was killed and the other two captured.[31] Though the family was not among the leaders of the raids against March and Northumberland, their commitment and involvement in the Scottish retaliation is undoubted.

Following the death of Angus after Homildon Hill in 1402, the Herdmanstons renewed and strengthened their connections with the fourth earl of Douglas. This was a marked difference from the previous post-Otterburn minority. William

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[27]For example in early 1380-1 Glendinning and the Lindsays are with the earl in the Douglas earldom proper; in August they are with him at Tantallon. Mss Buccleuch, no .2; Mss Strathmor, no. 10-11

[28] The Hepburns are consistent witnesses for March prior to 1400; as well as accompanying them in military actions, and in at least one instance acting as a household officer for the earl: Mss Buccleuch no.54; *Laing Chrs.*, no. 81; Fraser, *Maxwell Inventories* no. 4; Mss Marchmont, no. 2; *Melrose Liber*, ii, no.506 *RMS*, i, no. 231; *Morton Reg.*, i, 131-2

[29] Fraser, *Douglas*, iii, no. 46; *RMS*, i, app.2 no. 1753

[30] *RMS*, i, app.2 no. 1685

[31] Mss Abergavenny, p77-8; Bower, *Scotichronicon*, vii, 45

Douglas' claim to the earldom of Angus was not threatened by the fourth Douglas earl's claims in the way that George's claims had been threatened by the third earl, although his lands elsewhere were threatened. Nonetheless, the Herdmanstons renewed Douglas connection was a pragmatic acknowledgement of Douglas' strong position and the serious external threat posed by March after 1400.[32] The reconciliation of the Herdmanstons with Douglas had already begun in the previous year with the renewal of the grant of Carfra and Herdmanston, originally granted in 1377. This renewal supports the impression that the rift was of a personal nature related directly to the third earl of Douglas, who had died in 1400, and not to the family as a whole.[33] Support for the new earl was made easier by the partial reconciliation between the two groups at the highest levels, which was marked in 1402 when George, earl of Angus, was infefted in the barony of Cortachy in Forfarshire by Douglas.[34] The fourth earl of Douglas was determined to rebuild his base of support in east Lothian, as evidenced by the Douglas/Haliburton marriage in 1402-3, the earl's aggressive takeover of Dunbar castle and his leading role in the events of 1402. The 1401 renewal of Carfra and Herdmanston fit into this pattern.[35] The renewal does illustrate another interesting pattern. Originally granted for the specific services of homage, service, suit of court, ward, relief and marriage, the renewal was in blench ferme. It has been argued that the intention behind this change was that it maintained the concept of lordship and service, but permitted greater flexibility, for both sides, as to how that service was to be accomplished.[36]

In the early 1400s, the Herdmanstons' decision to cultivate a closer relationship with Douglas was a deliberate choice; but it was also matter of political survival. The attack in February 1400/1 by Hotspur and March, in which the villages of East Linton, Preston, Hailes, Markle and Traprain were burnt, graphically demonstrated the need for a strong military presence in the area.[37] Douglas's leading role in the subsequent retaliation, with no mention of any direct Crown participation, would have been a convincing argument that alliance with Douglas was necessary

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[32] For Angus' difficulties in claiming his other lands, M. Brown, *Black Douglases*, 109-11
[33] Mss Milne-Home, no. 590-1
[34] Mss Hamilton, no. 128
[35] See 1400-06 section, 101-105
[36] Grant, 'Acts of Lordship', 244-5
[37] Bower, *Scotichronicon*, viii, 10

for protection.[38] To remain independent was a hazardous game possible only for those with resources outside of the area. That the threat came from March meant that the Herdmanstons, unless they rejoined the Douglas affinity, were dependent solely on the Angus affinity, which was never sizeable and was severely damaged in 1402. Additionally, any independent action was hazardous due to the fourth earl's willingness to use force or the threat of force to advance his position in the region. Maitland, March's nephew, was blackmailed into turning over Dunbar to Douglas.[39] The only other option in 1400-01 would have been to support the Crown. But, the Herdmanstons had no access to the royal network. They did, however, have direct connections to Douglas. Furthermore, Douglas' influence over Rothesay, the only active royal representative in 1400-01, made the Herdmanstons lack of royal connections a mute point. Although Douglas was captured in 1402, his network in the southeast was expansive; by 1404 the majority of castles in the southeast, including Edinburgh, were held either by his agents or by families allied with him.[40]

In 1404-6, the Herdmanstons supported Douglas and by extension were in opposition to the group led by Orkney and Fleming which supported Robert III and, more particularly, James I in 1405-6. This alignment comes as no surprise considering the Herdmanstons lack of contact with the Crown and their lack of connection to Orkney or Fleming. Furthermore, Orkney's rise could have been seen as a threat to the position of the Herdmanstons. Theoretically, as a favourite of Robert III, Orkney could, if the Crown regained control of the area, fill the leadership vacuum created by the absence of the earls of Angus and March. With no tradition of service to Orkney this was a far less attractive possibility for the Herdmanstons than the expansion of Douglas' influence in the region. While Orkney's rise must have been regarded with some degree of wariness, the Herdmanstons reserved any expression of outright hostility for Fleming.[41]

Fleming's position in Lothian was that of an interloper with no tradition of involvement in the region in either personal or public affairs. Unlike Orkney's

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[38] Bower, *Scotichronicon,* viii, 13-15; *Pluscardensis,* x, xviii
[39] Bower, *Scotichronicon,* viii, 33
[40] Abercorn, Blackness, Dirleton (with the Haliburton marriage), Dunbar (Maitland), Edinburgh, Hailes (Hepburn), Hermitage, Thirlestane (Lauder), and Tantallon (Herdmanston) were all under either Douglas or Douglas allies
[41] *Chron. Wyntoun*, iii, 95

position, which was legitimized by his own power base in the area, Fleming's influence was an external imposition created by virtue of his position at the royal court. For the Herdmanstons, whose position was reliant on local kin and territorial connections and not on Crown administrative connections, Fleming was an unwelcome intrusion. His threat was real. In August 1405 Fleming obtained Cavers, which overturned the pre-existing claim of Angus and Sandilands on the territory.[42] This move directly challenged the Angus faction headed by the countess and her supporters, namely the Herdmanstons.[43] In addition to their 1398 agreement over Cavers, Sandilands and Angus had reached an agreement in 1397, which had given the wardship of Sandilands' son to Angus, an agreement witnessed by all three Herdmanstons.[44] The February 1406 expedition under Orkney and Fleming, with James I as the nominal leader, was probably designed to re-assert this royal faction's influence. The hostile response of those associated with Douglas interests: James Douglas of Balveny, the Haliburtons and the Herdmanstons, was as much, or even more, of a challenge directed at these two noblemen as it was to the Crown.[45] Fleming's death in the battle with Balveny was fortuitous for this group: it removed a dangerous rival whose lack of ties to the southeast network made for few negative repercussions upon the established structure.

The Herdmanstons are an example of the higher end the minor nobility: based almost exclusively in a single region, their influence and power was closely identified with an overlord's rather than being independent. Nonetheless, this description must not be over-emphasized. They had an identity distinct to themselves and were not simply 'kept men.' Additionally, the unusual circumstances of the southeast in the late fourteenth century provided the family with the opportunity to work with three regional magnates rather than only one. These circumstances may not have allowed the Herdmanstons to play their various overlords off of one another, but there is no question that the range of contacts engendered by the situation gave the family a valued and respected position amongst

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[42] *RMS,* i, app.2 no. 1753
[43] Boardman, *Early Stewart Kings*, 295
For a full discussion of the political events of 1404-6 both at court and in the region see: Boardman, 'Endgame.' *Early Stewart Kings*
[44] Fraser, *Douglas,* iii, no. 46
[45] *Chron. Wyntoun*, iii, 95; Bower, *Scotichronicon*, viii, 63

their peers. The family can be classified in this traditional manner as feudal vassals, no matter the number of overlords. But they also hint at another trend in Scottish society.

An integral part of the Herdmanston's identity was their administrative ability. Their appearances as agents and attorneys for the earls of Angus, or more precisely for the countess, place them amongst the administrative class in Scotland. This is a group of secular individuals whose appearances in the record are sketchy at best, though examples can be found in this period. Alexander Livingstone's job as a baillie for the earl of Orkney in Herbertschire, Orkney's usage of his brother and others as his deputies in the northern isles, Cranstoun's appearance as Haliburton's baillie, the presence of Simon Bannerman as Balveny's deputy in the Perthshire region, the earl of Douglas' support for the Ogilvies in Forfar and Angus and his patronage of Hay as the sheriff of Peebles all hint at a possible pattern.[46] These were all wide-spread territories requiring agents capable of maintaining control independently. In some cases, such as those of Herdmanston, Livingstone and Bannerman, the chain of authority remained clearly within the personal hierarchy of the magnate. Equally common, however, was a combination, the individual was both the landholder's personal deputy and a royal official. The Ogilvies were the sheriffs of Angus but also obtained patronage from Balveny and the earls of Douglas in the early 1400s; Hay was Douglas' 'beloved kinsman' and the sheriff of Peebles. Orkney's brother was also the Norwegian foud.[47] This combination was the most powerful way of asserting regional control as it ensured that all channels of power were under the purview of one individual, presumably loyal to the distant overlord. It is unlikely that it was a new concept; the growth in complex records and law, which not incidentally also aided this class' growth, means, however, that it is only from the late 1300s that evidence clearly exists.[48]

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[46] See section on Orkney, 238-242; also Mss Duke of Atholl 706; *Yester Writs* no. 44, 49, 52-3; *A.B. Ill.*, ii, 378, iv, 124-5; Fraser, *Douglas*, iii, no. 349, 367; *RMS*, i,; no. 876, ii, no. 112; GD20/1/39

[47] *RMS*, i, no. 876; ii, no. 112, and ad indicem; *Cal. Docs.*, no. 872; Fraser, *Douglas*, iii, no. 349

[48] For an increasing professional class: MacQueen, 'Poetry-James I to Henryson', 63; Gordon, 'Roman Law In Scotland', 17-8, 21

Minor Nobility: Edmonstones

Families such as the Herdmanstons are interesting because of their atypical characteristics; but it is also necessary to study families that conform more closely to the expected standard. The Edmonstone family's history between the late fourteenth century and the end of the Albany government in 1424 demonstrates typical social and political alignments. Prior to 1390 the family cannot, as is the case for most of the southeast, be assigned with certainty to the affinity of any single regional magnate. Evidence from the 1370s, primarily appearances on witness lists, demonstrates no overwhelming bias towards a single group. Instead the Edmonstones seem to have maintained connections to March, Douglas and Angus along with second-rank families, such as the Haliburtons, Herdmanstons, Hepburns, Cockburns, Towers and Sinclairs.[49] With the Sinclairs it is significant that the primary evidence for the connection comes from the 1379 claim on the earldom of Orkney. The appearance of the Edmonstones on the list of those sending letters of recommendation to the Norwegian court supports the premise that they were not only close to the Sinclairs but that they were sufficiently prominent in the ranks of the local nobility to be useful as witnesses in an international legal dispute.[50]

Their royal connections also follow the expected pattern. David II granted the coronership of Edinburgh to John Edmonstone during the 1360s.[51] This activity coincides with other evidence for David II's policy of direct connections with the minor local nobility in order to create his own affinity. John appears frequently as a royal witness during the 1360s, and was a member of the inner circle of David II's court in the late 1360s.[52] Notably, Edmonstone was amongst the group of minor nobility supporting David II in 1363. This direct connection to the Crown lapsed under Robert II and Robert III until 1404-6 when the king's renewed interest in the region encouraged the participation of south-eastern nobles in his court. The one exception to this was in 1381 when John, probably as part of the Carrick-Douglas-Lindsay affinity, was the recipient of John of Gaunt's patronage when he visited Scotland. John's career of royal service under David II may have given him

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[49] *Melrose Liber,* ii, no. 475-77; Mss Marchmont no. 2; *Morton Reg.*, i, 35, *Orkney Recs.,* 24
[50] *Orkney Recs.,* 24
[51] *RMS,* i, app.2, no. 1469; 5 Nov 1362: Penman, *David II,* 272
[52] Penman, *David II,* 357

credibility as a diplomat in this exchange which was driven by Gaunt's desire for personal relations with the dominant faction in Scottish politics. However, the exchange was mutually beneficial. It was also driven by a Scottish families interested in improving relations, especially by Edmonstone, Towers, Abernethy and Hepburn, who were all in need of safe-conducts for the purposes of pilgrimage.[53]

The Edmonstones re-appear at the royal court in 1404, but in a slightly different position from that of the 1360s.[54] In the 1360s their direct connection to the court as holders of royal office was combined with significant lateral mobility and no close connection to a magnate's affinity. John's recorded involvement in the royal court in 1404, however, must take into account the fact that at that time the family appeared solely with the earls of Douglas.[55] Furthermore, John's main involvement with the royal court, as an ambassador to England, may have been due to his previous but recent activities in England on behalf of Douglas, which would have given him the benefit of experience and connections.[56] His appearances with Douglas in 1402 suggest that he was part of the Douglas contingent at Homildon Hill, rather than the less defined 'national' contingent under Murdoch Stewart. Although John was captured there, he was apparently released fairly quickly, since he was in Douglas' host at Cheshire and Shrewsbury during the same summer.[57] In October 1403 John was travelling between Scotland and England as an agent for Douglas, who remained in England, along with another member of the Douglas' affinity, William Borthwick.[58] The Douglas connection was very evident in the composition of the 1404 English commission. Of nine commissioners four, James Douglas of Dalkeith,[59] John Edmonstone, William Borthwick and Master John Mertoun, appeared repeatedly with Douglas in the preceding four years and did so

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[53] For this 1381 information see: Goodman, 'Anglo-Scottish Relations', 240-1
[54] *Cal. Docs.*, iv, no. 664
[55] This John Edmonstone is of age by 1388; it is possible that he is the same John that is active in the 1360s and probably 1370s, but he could be a son. Goodman feels that the John active in 1381 is the same as the one under David II. Goodman, 'Anglo-Scottish Relations' 240-1
This John Lord Edmonstone is deceased prior to 1420 when the head of the family is David Edmonstone Fraser, *Douglas*, iii, no. 59
[56] *Cal. Patent Rolls 1401-5,* 438
[57] M. Brown, *Black Douglases*, 105-6
[58] *Cal. Patent Rolls 1401-5,* 438; *Cal. Docs,* iv, no. 664
[59] By 1400 the earlier internal division between the Douglas earls and the Dalkeith Douglases was resolved: M.G. Kelley, 'The Douglas Earls of Angus', (University of Edinburgh Ph.D. thesis, 1973) 7

outside of any business connected to the royal court.[60] Any involvement with royal diplomacy or the royal court by the Edmonstones in 1404, therefore, was likely to have been created by their position as trusted agents of the Douglases. Herdmanston's action was not, as was the case with Orkney and Fleming, an independent action designed to support a faction potentially in opposition to Douglas' southeastern control.

The Edmonstone-Douglas relationship was not based solely on appearances on witness lists or the uncertain quality of marriage connections. Their role in managing Douglas affairs indicates a regular business relationship. In May 1402 Douglas rewarded John with lands in the sheriffdom of Perth, along with a fortalice in Tulliallan in Strathearn, for his faithful service.[61] It is possible that the Tulliallan grant was increased the following year with further lands in the area. This grant was made in Edinburgh by the earl in July 1403 and the witnesses included men by now closely connected to Douglas and active in the defence of the southeast. The Edinburgh meeting permitted Douglas not only to review his position in Scotland but also to recruit his host for the English campaign with Percy, which included John.[62] It has been argued that this Tulliallan charter should be dated to 1406.[63] If this was the case, as is quite possible, it does not affect Edmonstone's position in relation to Douglas. The 1406 date does indicate, however, that Edmonstone remained in Douglas' favour after Robert III's death, something known from other evidence as discussed below. The appearance of the Edmonstones amongst Douglas' followers in 1400-1404 is an indicator of the broad geographic spread across southern Scotland that the earl was cultivating. Edmonstone, Borthwick, Herdmanston and Hay all appear as witnesses for Douglas at his castle in Bothwell as well as being in the earl's company when he was in the Edinburgh area. This is suggestive of a developing affinity. Other visitors to Douglas in the southwest included the earls of Angus in 1400 and Orkney in 1401. Both were unusual visitors in the southwest and

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[60] *Cal. Docs.*, iv, no. 657-8; Fraser, *Douglas,* iii, no. 342, 344, 346. Abergavenny Mss, p77-8
[61] Fraser, *Douglas,* iii, no. 346; GD15/332
[62] GD15/333: the witnesses were: Seton, Abernethy, Hay, Borthwick, Haliburton, Sinclair of Herdmanston, and others
Boardman, *Early Stewart Kings*, 270
[63] Grant, 'Acts of Lordship', 240n21

their appearance reveals the importance of the fourth Douglas earl's position at that time.[64]

The Edmonstones' Douglas connection was of long duration, but unlike Herdmanston it was not mediated through Angus or other connections. The John Edmonstone of the 1360s and 1370s who was active under David II also had links to the Douglas earls, appearing as a witness to their charters as well.[65] It was, furthermore, likely that he was brought to Gaunt's attention in 1381 because of his Douglas association.[66] John Edmonstone (active from 1388 to *circa*1413) fought at the side of the second earl of Douglas at Otterburn, and then married his widow in 1390. Isabella was the daughter of Robert II and widow of the second earl of Douglas; this marriage was valuable dynastically and financially and elevated the family's immediate status.[67] At this point, John might have been in a situation similar to that of Malcolm Drummond, the husband of the second Douglas earl's sister and heiress, also an Isabella. The marriages of these men placed them squarely in the centre of the dispute over the Douglas inheritance in the aftermath of Otterburn. Indeed, Edmonstone had obtained a right to a third of the estate through the earl's widow. Drummond was forced to acquiesce in the deal brokered between Fife and the countess of Angus, in which she gained Tantallon and North Berwick; this deal immediately undermined Drummond's chances of inheriting.[68] Edmonstone faired somewhat better, perhaps because his service to the Douglas family and the possibility that an Edmonstone-Stewart link could be created from his marriage. Unlike the Drummonds who had the support of neither Douglas nor Angus, or the Sandilands and Herdmanstons, both of whom supported Angus, or men such as Alexander Cockburn who was aligned with the third earl of Douglas, the Edmonstones seem to have maintained a remarkably low profile only appearing when their personal interests in the region were aligned with those of the Douglas earls. Although the marriage between John and Isabella Douglas might have embroiled them in the dispute, they apparently remained neutral during the 1390s. They re-emerged in 1400 when the threat of the combined forces of the English and

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[64]Fraser, *Carlaverock,* 417; Fraser, *Douglas*, iii, no. 342, 344-6; *Yester Writs,* no. 56
[65] *Melrose Liber,* ii, no. 502
[66] Goodman, 'Anglo-Scottish Relations', 240-1
[67] *ER,* iv, p.clxiii
[68] Boardman, *Early Stewart Kings*, 150, 160

March became the catalyst for regional cooperation. Brown, in his work on the Black Douglases, notes that Angus visited Douglas at Bothwell in May 1400, presumably to address the problem of defending Lothian against this threat. Also present were Edmonstone, Borthwick and Hay.[69] These latter three men were all closely involved with Douglas in the following years; and, in the absence of effective Crown leadership, involvement with Douglas was a natural choice which utilized pre-existing, if dormant, ties. The Douglas-Edmonstone alliance, therefore, may serve as a caution against assuming that an individual's political inactivity automatically equated to a lack of interest or contact. Indeed, the speed with which the fourth earl was able to develop an affinity in the region supports the idea of a social network in which the multiple ties of kinship and service could be easily activated even if dormant. Long term success for a family depended on the number of ties, but not always on using all of them equally at the same time.[70]

The issue of the annuity owed to the Edmonstones reflects the potential value, and danger, of multiple networks. The primary value in the Edmonstone marriage derived from the assets controlled by Isabella, who, as the widow of Douglas, had a terce of the earl's lands. This was drawn from the Haddington customs, from which Edmonstone, as her husband, claimed one-third of the £200 annuity from 1390 to 1410. It is interesting to note that Isabella is referred to as the countess of Douglas in the payments of her annuity, suggesting that, unusually, the connection which was important was her previous marriage to the Douglas family and not her royal blood.[71] Nonetheless, her relationship to the royal Stewarts retained value, especially after the death of Robert III when much of Albany's network may have been based on reminders of kinship. The original intent of the marriage, on the part of the Edmonstones, is, however, difficult to judge precisely. It was an astute political movement that brought them closer to both the royal line and the Douglas family. It is only after 1400 that other evidence supports the argument that the Douglas tie was, or became, the important point of the marriage agreement, prior to this the lack of evidence means that connection to either Douglas or Stewart was equally possible, though the pattern of Edmonstone's behaviour makes it more probable that the link

[69] M. Brown, *Black Douglases*, 101
[70] Plakans, 'Households and Kinship Networks', 56
[71] *ER*, iii, 493; iv, 8, 56, 76, 126

to Douglas was of greater interest. This issue of control was likely more of a concern for the Douglases than for the Edmonstones; regardless of whom the Edmonstones supported, legally the terce belonged to them, although gaining access to the money might have been a different matter. The Douglases could only continue to benefit from the annuity, as they had in Isabella's marriage to the earl, if the Edmonstones were aligned with their interests. The development of a closer relationship was beneficial for both sides. It allowed the Edmonstones to maintain access to the terce and let the Douglases retain control by ensuring that the Edmonstones did not align themselves with another powerful family, in particular the Stewarts, who might then benefit from capital originally held by the Douglases. It is possible, despite the lack of evidence to support such a supposition, that Edmonstone's low profile during the 1390s was possible and permitted because Douglas and Albany were in relative accord. A neutral position, with moderated Douglas sympathies, would have been an effective method of removing the issue of widow's right to the contested Douglas estates. That the annuity was in cash and not in territory also suggests that this marriage could have removed from play the widow's terce and bought the neutrality of the Edmonstone family.

This annuity was drawn from the Haddington customs and John apparently never had any problem claiming it. This is in stark contrast to that of another, similar marriage: Walter Haliburton's 1404 marriage to the Douglas widow of Rothesay.[72] Her annuity, drawn from the customs of Linlithgow, was the stimulus for a feud between the Haliburtons, supported by the Douglases, and the Linlithgow custumars.[73] The Haddington customs were notable amongst the Lothian customs during Albany's government. They were the only ones which did not suffer from uplifting by various noble families under the direction of the earl of Douglas. The lack of dispute over the annuity may have been a result of their stability. It is, however, not impossible that Isabella, despite her continued Douglas appellation, was on good terms with the duke of Albany, her close kinsman. Albany was still in contact with the various branches of royal finance which he had overseen as Chamberlain, offices which controlled the dispensation of such annuities. This may have been another important factor in John's ability to gain the annuity.

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[72] *ER*, iii, 59

[73] *ER*, iii, 616, 620; iv, 193, 216, 224, 244, 253, 278, 296, 320

Edmonstone's own career suggests that the Douglas terce his wife brought to the marriage remained in the hands of someone whose interests were aligned with the Douglases; but his wife's Albany connections could have made the claim's routine transfer possible. Certainly the Albany relationship was known and acknowledged in the next generation: in 1413 David, John's heir, was named as the nephew of Albany in a payment from the Haddington customs, possibly this annuity.[74] It is interesting that of the three marriages involving annuities (Haliburton to the Douglas widow of Rothesay, Drummond to the Douglas heiress, and Edmonstone to the Stewart widow of Douglas) only Edmonstone was not plagued with problems in actually collecting the money. That Edmonstone's annuity actively involved the interests of both leading magnates (Douglas and Albany) instead of only one (Douglas) may well be an important point. The connection with Albany, who ultimately controlled the exchequer, may also be responsible for the curious notice in 1406 when John Edmonstone received the pension of Malcolm Drummond that was due to the countess of Mar.[75] Such a relationship with Albany was double-edged. Multiple interconnected relationships ensured political stability; but if Albany were to successfully woo Edmonstone, the Douglases could lose not only a Lothian member of their affinity, but also their indirect hold on the annuity.

Despite these intimations of financial favour or at least neutrality from Albany when it came to accessing money owed to John, the Douglas connection remained the dominant one for John, at least according to appearances until his death between 1410 and 1420.[76] Furthermore, John not only continued to appear in the Douglas affinity, but continued to rate highly in the earl's favour. As was frequently the case, this service of John to the earl was multi-dimensional: in 1407 Douglas granted him a nineteen-year lease as payment for a gift of 240 marks that John had made to the earl while he was imprisoned in England; he also gained the baillery of Tulliallan from the earl at this point.[77] Additionally, in 1408 he served as a hostage

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[74] Fraser, *Douglas,* iii, no. 59; *ER,* iv, 178; GD15/337

[75] *ER,* iv, 14

[76] The last actual appearance of Sir John is in 1410; however, the appearance of his son David in 1413 receiving an unspecified Haddington annuity, almost certainly in connection with Isabella, would suggest John had died between 1410 and 1413, and he is definitely deceased by 1414.
Fraser, *Douglas,* iii, no. 351, 358; Mss Carruthers, p710

[77] GD15/334; M. Brown, *Black Douglases,* 114

for the earl, suggesting the earl's continued lordship.[78] John's relationship with the Douglases gives the impression of a clear hierarchy in existence. John lacked the Haliburtons' ability to manoeuvre independently or the Herdmanstons' close familial connection to Angus. The relationship was, however, not entirely one-sided. The issue of the annuity and the potential for Stewart patronage for the family has been considered and a 1410 grant by Douglas of lands in the regality of Strathearn hints at another potentially complex relationship. While this was first and foremost a reward for service by Edmonstone from Douglas the location of the grant in an area held by the Stewarts, and its subsequent approval by the earl of Strathearn, reconfirms the impression that the Edmonstones maintained a distant but cordial relationship with the Stewart family alongside the Douglases.[79] Furthermore, John was an active agent, as is shown by his diplomatic involvement in 1403-4 and probably by his position in Tulliallan for Douglas.[80]

Following John's death, the next generation continued the tradition on a personal level into the 1420s: William, likely a younger brother of David, was named in 1414 as an esquire of the earl along with other young members of some south-eastern families, suggesting an established generational and tutorial relationship.[81] David, as the heir to his father, gained Tulliallan in 1414, though the baillery was granted by the earl to James of Heriot at this time.[82] David along with his brothers, William and John, all appeared periodically as witnesses for Douglas, a tradition which continued after the fourth earl's death. William was a witness for Archibald Douglas, earl of Wigtown, in December 1423.[83] Having peaked during the 1400-05 period when the Edmonstones' regional interests were under the greatest threat, active involvement with the Douglases then declined. That a connection to the Albany Stewarts was never utilized was probably a pragmatic decision; the Stewarts' lack of interest in the southeast combined with the fairly small amount of influence the Edmonstones would have been able to give them in the area meant that

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[78] *Cal. Docs.*, iv, no. 752; M. Brown, *Black Douglases*, 108
[79] Fraser, *Douglas,* iii, no. 358
[80] His ability is greater if he is the same John Edmonstone who was coroner of Lothian and one of the justiciars of the region south of the Forth.
[81] Fraser, *Douglas,* iii, no. 59, 367; *RMS*, ii, no. 13
[82] GD15/336; GD15/337
[83] Fraser, *Douglas*, iii, no. 367, 59; Fraser, *Maxwell Inventories* no. 15; Fraser, *Haddington* no. 287; *RMS,* ii, no. 13

cultivating such a relationship was probably not in either party's best interests. In this we may see the Edmonstone family as an individual example of the larger structure in operation throughout Lothian during the Albany regency.

Minor Nobility: Grierson

It is worthwhile to consider a minor individual to illustrate the complicated nature of political alliances. In the early fifteenth century Gilbert Grierson can be viewed as a minor member of the fourth earl of Douglas' affinity, and a relatively colourless one at that since Gilbert did not participate in the French and English affairs which dominated the fourth earl's career, neither travelling with the earl nor acting as his hostage. Nor was he ever a witness for the earl. He is, in Grant's study of the charters of the fourth earl, listed as a member of the outermost circle of the Douglas affinity in this period.[84] Yet he was named as the squire of the earl between 1409 and 1424; and this close relationship was continued after the earl's death, a confirmation charter of lands previously granted to Gilbert was made in 1425 by the countess of Douglas, who named him as her squire.[85] The relationship may have continued in later generations. William Grierson is named in the English safe conduct for the earl and his retinue on his pilgrimage to Rome in 1450-1451.[86]

Gilbert's appearances in the Douglas affinity are confined to grants of land, primarily in the Douglas lordships of Annandale and Galloway. Two of the grants are straightforward and concern land in Lochmaben and Kirkcudbright.[87] That Grierson was in Douglas' favour is indicated by the third grant: a life rent in Dumfrieshire, forfeited by Thomas Corbet, because he had infringed on the infeftment of these lands given to Gilbert by Douglas.[88] These are puzzling grants for, as stated, Grierson was not an active individual, not even part of the large hostage lists developed to obtain the earl's release from English captivity in 1407. Grant explains these charters for Grierson as part of the regular activity for a major lord: they 'can perhaps be considered as the earl's normal grants of land, after the obligations caused by his captivity had been redeemed. None of these grants was very extensive, and the recipients were not particularly important.'[89] Brown, in his study of the Black Douglases, goes farther and argues that Grierson as part of a group of local Annandale lords had no alternative but to accept the Douglas takeover

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[84] Grant, 'Acts of Lordship', 248
[85] *Lag Chrs.*, no. 10
[86] *Cal. Docs.*, iv, no. 1232
[87] *Lag Chrs.*, no. 4; HMC, 6th Report, App., p710; Grant, 'Acts of Lordship', 267-8
[88] *Lag Chrs.*, no. 4, app.no. 1; HMC, 6th Report, App., p710; Grant, 'Acts of Lordship', 267-8
[89] Grant, 'Acts of Lordship', 241

of Annandale, as a part of the larger takeover by Douglas of lands previously held by March.[90]

This argument is reasonable; and it is not possible to disprove. But concern arises from the fact that Grierson was not only a recipient of Douglas grants. During this same period Gilbert was granted land by Orkney, who named him as his kinsman, as well as by March and Patrick de Dunbar, son and heir of David Dunbar of Cumnok, a family uninvolved in the Douglas affinity.[91] Gilbert was, in fact, involved with three other major families and the relationship with March continued after the Douglas takeover. The grant by the Dunbars of Cumnok is one of only three of Grierson's charters that can be accurately dated. It was confirmed by Albany in March 1411. The land involved was in Cumnok barony in Ayr along with two wadsets for land also in Cumnok, one of which was specified as being adjacent to the marches of Nithsdale.[92] This latter information indicates that Gilbert was probably involved in the administration of that region, especially when it is taken in conjunction with the slightly earlier grant by Orkney.

The grant by Orkney was made in December 1408 at Dumfries, an extremely unusual location for Orkney, and the witnesses included Stephen Crichton of Carnis, who would be granted land in Herbertschire by Orkney the following year.[93] The timing, place and witnesses involved suggest that the earl was visiting his newly acquired southwest territories of Nithsdale and Herbertschire, which had been granted to him by Douglas in 1407.[94] Orkney was a confidant of Douglas in this period; but he remained independent, maintaining connections with James I in England and pursuing his own affairs in eastern Scotland and Orkney.[95] This grant was a regrant of land previously held by Gilbert so it cannot be seen as primarily motivated by service done by Gilbert; but the appellation of kinsman suggests that he was held in high regard by the earl. The connection to Orkney would have opened up an array of possibilities as well as kin links to several of the most prominent

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[90] M. Brown, *Black Douglases*, 109, 113
[91] *Lag Chrs.* no. 2, 3; p10n2; App.no. 3
That Cumnok is not involved in the Douglas affinity is based on Grant's study: Grant, 'Acts of Lordship'
[92] *Lag Chrs.*, app. no. 3
[93] *Lag Chrs.*, no. 2; Atholl Mss, no. 20
[94] GD350/1/948; Fraser, *Douglas,* iii, no. 351
[95] See Orkney section, 242-247

families in the southeast.[96] Nonetheless, the grant, and even the appellation of kinsman, may simply refer back to Grierson's position as a member of the Douglas affinity; it does not necessarily add anything new.

However, there are two grants by March to Gilbert, one before 1418 and the other in November 1423.[97] The first was a charter of land in Dumfries combining land previously held by Gilbert and land resigned by Edward of Crawford. This grant was drawn up at Dunbar, witnessed by the earl's sons George (his heir), Gavin and Patrick. The second grant gave Gilbert superiority over the lands of Fyscharlandis and Chawes of Dalgarnock. In both cases the land concerned was in the southwest, not the southeast, as might have been expected if Gilbert was a close acquaintance of March. Nonetheless, they strongly suggest that March had good reason to reward Gilbert for some action taken on his behalf. The most likely reason would have been that Gilbert acted as a representative of the earl's interests in the southwest. They point as well to the fact that March's involvement in the southwest, even if drastically curtailed, was not at a complete end, even more than a decade after legal recognition of his loss of Annandale. Further, the timing is in line with March's gradual re-emergence as an active player in the southeast capable of challenging the exclusive Douglas patronage. It is the location of the pre-1418 grant, Dunbar, that is most interesting. Gilbert was known to have been in Edinburgh with Douglas during the Albany government, one of the three Douglas charters for him was drawn up there; Grierson's appearance in Edinburgh was in keeping with Douglas' use of Edinburgh as his main seat.[98] However, his appearance at Dunbar after it was regained by March is another matter entirely. This grant, and the witness list composed solely of the earl's sons, all active in military affairs on the Borders, has the flavour of a meeting to discuss current affairs. Grierson's position as a local landowner in the southwest would have made him well suited to confer with the re-established Dunbars, as would his good standing with the earls of Douglas and Orkney, along with other branches of the Dunbars. The overlap in witnesses for charters to him is also curious: the Edinburgh charter by Douglas was witnessed by

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[96] The second Sinclair earl of Orkney was linked to the Forrester, Drummond of Cargill and Haliburton

[97] *Lag Chrs.*, no. 3, p10n2

[98] M. Brown, *Black Douglases*, 101; HMC 6th Report p710

Gavin Dunbar and William Sinclair who also witnessed the charter by Orkney. Furthermore, involvement in Nithsdale is hinted at by William Douglas of Nithsdale's appearance on the Kirkcudbright charter.[99]

Grierson is not an important individual, especially not in the affairs of the southeast. He is, however, a useful example of the interwoven involvement of individuals across the south; and his career indicates that this interwoven nature continued, if at a lower level, even as the Black Douglases were ascendant. For the earls of March and Orkney their connections with a local administrator for the Douglas earls created another dimension in their political networks. In such a relationship the potential existed for a direct connection between Grierson and March without involving Douglas. In this case this would have been of more use to Grierson, as another route of patronage, than to March, since the grants were sufficiently minor that they could not establish him as a power in the area. However, given enough land such a pattern could create influence in a region. For the society as a whole this pattern of interweaving was probably, if all such examples are taken together, a significant factor in stabilizing the political network and preventing fragmentation along local lines or interests.

These three families, Herdmanston, Edmonstone and Grierson, are examples of the range of usage of kinship and service. The Herdmanstons' position and actions over approximately thirty years was informed by their relationship to the countess of Angus, her son and her grandson. Yet, while they illustrate the usage of kin networks, they also demonstrate that this relationship was not always necessary or of equal weight. They were conspicuously absent from any sustained involvement with the Sinclairs of Roslin, despite the fact that Margaret Sinclair of Roslin was the mother of both the countess of Angus and her three half-brothers of Herdmanston. Indeed, the two families were briefly in opposition in 1406, and the only possible appearances of them together were during the Albany period. They did not support the Sinclairs of Roslin in 1379, when they made their successful bid for the Orkney earldom. Their absence from this 1379 list, which included many of the major families from the southeast, strongly suggests that there was no active relationship, at a date when the familial connection was recent.

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[99] *Lag Chrs.*, no. 4

If the Herdmanstons shed some light on the workings of particularly fraught kin networks, the experiences of the Edmonstones help to illuminate political relationships. Although the Edmonstone marriage to Douglas' widow carried with it social responsibility, it is difficult to avoid the perception that the kin relationship, such as it was, evolved out of, and because of, pre-existing traditions of service and political calculations. In this case the marriage, and the numerous possibilities arising from kin relations to the Stewarts and the Douglases, added another element, admittedly a strong one, to an existing relationship. Finally, Grierson demonstrates how an individual could have an influential position even if they lacked kin relationships or a tradition of sustained service and clientage. In this case political necessity arising from the state of the overlapping network created a possibility for Grierson.

Conclusion:

The intention of this thesis has been to illuminate the political and social structures that lay below the grand narrative of the Crown and the great magnates. The families considered in the case studies were part of the community without which the magnates could not act and to which they had to justify their actions. Even in the period when Douglas' power was without equal in the southeast, there was always a complex set of internal and external factions requiring constant negotiation and adjustment. The minor nobility was not a tame affinity that meekly followed the lead of the great magnates and the Crown. Rather these were individuals with their own interests and demands, capable of participating in, and using, the ongoing political dialogue of negotiated power to their own ends.[1] This ability was at its strongest when there were multiple sources of patronage.

The chronological sections of this work have examined the shape of the structure. During the late fourteenth century there was a delicate balance between the Crown, the three earls and the upwardly mobile second rank whose prominence was created by service to the Crown and by the magnates' need to create affinities. In the last years of Robert III's reign, chance and astute political manoeuvring aided the rise of Douglas to dominance but also permitted the second rank to attain equal political importance, though not lasting power. During the Albany period, Douglas' superior strength was evident, yet even here negotiation and cooperation was essential to maintaining political stability, which left open the possibility of collaboration with March, Angus and James I. In the end Douglas' dominance in the southeast was ephemeral. Although this collapse was hastened by his death and that of many of his closest supporters at Verneuil, the re-emergence of a more balanced structure can be seen prior to 1424. The connections to other sources of patronage were never removed and enabled the prominence of members of the minor nobility that would become the Lords of Parliament.

The two sections on the geography and the burghal elements have suggested that factors other than those of noble patronage had an impact. To a certain degree, especially in regards to the geography, these were underlying factors without direct

[1] The consent of the community and the obligation of the ruler to seek that consent was present in the political theory of the period. B. Tierney, 'Hierarchy, Consent, and the 'Western Tradition', *Political Theory* 15 (1987), 646-652 at p. 648-9

impact; nonetheless they could tip the balance and help to determine whether or not a family became prominent. The geographic location of a family might help or hinder the family, as suggested by possible examples. The Logans' location next to a port meant they appeared in the record in a sustained manner; the Sinclairs' collieries in Dysart were the collateral that enabled the second earl to pay his ransom and return to play a critical role in Scottish politics in 1404; and the Swintons' possessions in Coldingham and Craneschaws enmeshed them in the Anglo-Scottish political situation. The burghal connections are more easily demonstrated. Mercantile connections created fluid capital and facilitated the development of administrative skills and the national and international social contacts prized by those in power.

These three parts, the chronology of the structure, the geography and the burghal relationships, illustrate the complexity of the society. The case studies are a demonstration of the spectrum of ways in which power was obtained or maintained within this structure. Certain attributes are common to all of the families: service to the Crown and/or the magnates gave a family that critical, initial boost in profile; once established, continued regional or national networking was not necessary to maintain that base. Networking was, however, necessary if the individual wanted to continue to have an influential position in a national context. The more connections a family had, whether utilized or not, the more influence it could achieve. Ideally, influence was not confined to one type of connection, but included kin-networks with the associated ability to call out military forces, landholding, administrative offices and mercantile resources, although the majority individuals were not equally invested across the spectrum. These connections could be, and often were, between individuals who had been, or would be, in conflict. There were, however, no apparent negative repercussions for an individual who maintained links to two other individuals in conflict. Indeed, as the position of the Haliburtons, Grierson and Borthwick during Albany's government or Swinton's role as an Anglo-Scottish diplomat suggest, being the 'go-between' could be an influential position both in regional and international contexts. This 'grey' network is expected in a region where power was not cleanly delineated and in a society where personal alliances rather than ideology generated the political factions.

Studying the minor nobility within a regional structure helps to illuminate this network as all connections to other individuals in the region must be considered, helping to prevent a bias towards one source of power by preventing a narrow focus. The strict English definitions of noble versus gentry, or of parish and shire, were not especially applicable except in a general sense, due both to the fluid nature of the Scottish nobility and the difference in extant evidence. It is possible that with further study, and especially quantitative analysis, such distinctions might be pertinent. However, by examining all the connections of the individuals, especially in the case studies, the multitude of ways in which social or political prominence was maintained was revealed. This has bearing on studies of late medieval society, in particular on the perennial issue of 'bastard' feudalism and the relationships within the nobility as played out through offices, service, land tenure and contracts. The flexibility of the minor nobility and their appearance at critical junctures suggests that discussion over forms of feudalism must be considered as a negotiation of power amongst at least three groups; not simply between the Crown and the magnates, but between the Crown, the magnates and the minor nobility.

It should be emphasized that several of the individuals, Forrester, Preston, Edmonstone, Haliburton and to some extent Orkney, were able to advance their position in the latter half of David II's reign and during the first decade of Robert II's reign when Crown patronage was available and independent from the magnates, and when the magnates were all evenly balanced in their position in the southeast. The next spikes of appreciable gain by the second rank nobility occurred in the 1388-1390s and in 1400-06. In both cases division created opportunity. In the latter case, especially during 1404-06 when there was a re-energized Crown, it was a brief but spectacular period when the intentions of the second rank nobility drove events. This was not the case during the Albany regency, when the second rank nobility played a critical role, to be sure, but, aside from the earl of Orkney, made few lasting advances in their fortunes, though they did not lose position, except in cases where negotiation between March and Douglas or Angus and Douglas were necessary. Examples of these exceptions were the Haliburtons, Grierson's position serving both March and Douglas and the Angus-Hay marriage. One cannot help but be aware that under James I, when the Crown was even more independent, the minor nobility rose

appreciably in their influence. This pattern suggests that, in general trends, a strong Crown, a nobility whose top ranks were not monopolized by one or two families and wide range of sources of patronage, income and influence were beneficial for the overall advancement of the second rank of the nobility.

The use of this spectrum of opportunity is illustrated in the case studies. The Forresters are one extreme: influence created by administrative and mercantile contacts. The Haliburtons represent another: influence created by landholding and a kin-network, with administration occurring only at the beginning of the period. The rest represent a mixture of these methods. The Sinclair earls of Orkney were influential because of their landed capital. The Norwegian earldom of Orkney was not a major political factor within Scotland but it gave the family wealth and social status. However, the attainment of the earldom was created through the judicious manipulation of offices and kin networks. The Herdmanstons combined familial connections and dynastic accidents with administration to retain their influence with the earls of Angus, though they could have simply occupied themselves with their own estates. Other families, such as the Prestons, used patronage to establish themselves before turning their attention away from politics to other mercantile, chivalric and cultural pursuits. These studies make it clear that individual decisions and interests were absolutely critical to how a family operated.

It is hoped that this thesis has begun to explore this level of late medieval Scottish society. Yet, in the end it has raised more questions. Other families in the region could benefit from study, while expanding the timeframe to include the reigns of James I and James II raises some fascinating questions about the role of office-holding, only briefly examined here. The Crichton and Livingstone conflict during the minority of James II, illustrates the height to which these 'minor' nobility could rise through their pursuit of power by means of any possible avenue. The cultural impact of these minor families through their patronage of literary and architectural

works serves as a reminder that they were a driving social force.[2] The questions are not limited to further study of the southeast or to expanding the timeframe, however; equally important is the place of this structure within Scotland. Although alluded to in passing with regard to the Prestons in particular, the cultural aspect of chivalry and crusade could be explored in greater detail. It has been noted that a substantial portion of the minor Scottish nobility listed in the Armorial de Gelre was drawn from this southeastern group, including Seton, Orkney, Sandilands, Preston, Edmonstone, possibly Sinclair of Herdmanston and others.[3] This raises a possibility of a southeastern bias within the international chivalric milieu.

It might be that this region in Scotland was an anomaly: multiple burghs, along with the presence of Edinburgh and no single magnate able to dominant the entire region territorially could have given it a political and social character distinct from other areas in Scotland, especially those outside of the lowland regions. I have suggested that the pattern of behaviour found in this region does not differ fundamentally from that found in England or on the Continent, though there are radical differences in administrative structures, in particular the courts. Is this true in the rest of Scotland? This is an unanswerable question unless other studies are undertaken of the minor nobility in the rest of Scotland (in the other lowland regions, the Highlands and in areas such as Aberdeenshire where these two cultural constructs overlapped). However, if the pattern of behaviour was different in the rest of Scotland then the argument that the southeast was politically as well as culturally distinct from the rest of the country emerges as a critical issue. Yet, this proposed argument has some definite problems, foremost being the rise of Parliamentary lordships and the decline of the great territorial earldoms and lordships throughout Scotland during the fifteenth century. This would have encouraged the use of the

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[2] Bower's *Scotichronicon*, Gilbert of Hay's translations of Bonet's *Tree of Battles*, the *Pluscardensis Chronicle*, the *Wyntoun Chronicle*, the *Buik of King Alexander* and *De Regimine Principum* were all created for families whose power was not based on territorial dominance. S. Mapstone, 'Was there Court Literature in Fifteenth Century Scotland?' *Studies in Scottish Literature*, 26 (1991) 410-422 at p. 411-13, 418. A. Borthwick, 'Bower's Patron: Sir David Stewart of Rosyth' Bower, *Scotichronicon*, ix, D.E.R. Watt (ed.) (Aberdeen, 1998) For the Crichton-Livingstone conflict see: Macdougall, 'Bishop James Kennedy: A Reassesment'; M. Stewart, 'Holland's 'Howlat' and the Fall of the Livingstones', *Innes Review* 26 (1972) 67-79; R. Lyall, 'The Medieval Scottish Coronation Service' *Innes Review* 28 (1977) 3-21; R. Tanner, 'Chapters 3-5', *The Late Medieval Scottish Parliament,* (East Linton, 2001)

[3] Pers. Comm. with Dr. Boardman

administrative structure of the Crown as alternative channels of influence, giving families options in addition to those of kin networks and landholding.

This is an open-ended thesis; it does not and cannot cover all of the families or all of the possible angles. Yet, it is clear, even from these few families, that the social and political structure of southeastern Scotland was a complex network. Traditionally, these families have often appeared only as a name in the affinity of a great magnate. This is only one dimension, albeit crucial, and only one part of their activities. The continued examination of these families will add depth to the social and political structure of Scotland and will help to illuminate the elusive community of the realm.

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HMC Mss Family of Carruthers

HMC Mss A.J.W.H.K Erskine

HMC Mss Hamilton

HMC Mss H.M. Gordon

HMC Mss Home

HMC Mss Hope

HMC Mss Sir John Bethune

HMC Mss Lord of Kinnaird

HMC Mss Luttrell

HMC Mss Mar and Kellie i,ii

HMC Mss Marchmont

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Appendix:

A Brief Note on the Orkney's place in Scotland:

Although Henry's career established the family's loyalty to the Scottish Crown, the issues of allegiance and identity cannot be avoided when considering the Sinclairs' possession of Orkney. Holding territory in multiple kingdoms was not unusual in the late Middle Ages; but it was increasingly difficult due to the emergence of concepts of national identity and a general political trend towards the rationalization and unification of kingdoms.[2] The earldom of Orkney should be considered in light of the other two primary examples of Scottish dual allegiance, England and France. Prior to the Wars of Independence Anglo-Scottish nobles were numerous, but by the late 1300s this dual allegiance was virtually eliminated. It is to the Franco-Scottish connection, therefore, that one looks for parallels. Socially, the Sinclairs were close to the group of Scottish nobles deeply involved in France, in particular those around the fourth earl of Douglas. Yet, even if Verneuil had not eliminated the possibility of the Douglas earls holding large amounts of land in France, the situation with Orkney would remain subtly different. The French kingdom was expanding, and it is difficult to see how any French territory held by a foreign noble could have become a base for in-depth, sustained foreign influence, let alone legal alienation and transference of allegiance to another crown.[3] This, however, was precisely what occurred in Orkney. For the Norwegian Crown, merged with the Danish kingdom following the Union of Kalmar in 1397, the geo-political position of Orkney was radically different from the French estates. The Scandinavian Crown was culturally and economically shifting eastwards, with its focus on the Baltic and the Hanseatic League. Orkney, once at the centre of the Norwegian North Sea empire, was now a fringe territory which needed to be run effectively from a distance. By 1468, Orkney was not valuable economically for the

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[2] K.J. Stringer, 'Scottish Foundations: Thirteenth Century Perspectives', in A. Grant & K.J. Stringer (eds.), *Uniting the Kingdom: the Making of British History* (London, 1995), 88-9

[3] For a discussion of the continued French legal control of lands held by Scots see: E. Bonner, 'French Naturalization of the Scots in the Fifteenth and Sixteenth Centuries', *The Historical Journal* 40 (1997), 1085-1115; The fifth earl of Douglas used the title, Duke of Touraine, but the duchy had been granted shortly after the battle to Charles VII's sister-in-law; meanwhile the fifth earl's lands of Dun-le-roi were granted to the French king's new supporter, Arthur count of Richemont. M. Brown, *Black Douglases,* 223

Scandinavian Crown; it was useful as, literally, a pawn to strengthen ties with Scotland through a royal marriage.[4]

Furthermore, the Orcadian situation differs from the other 'fringe' region in Scotland, the Western Isles. By this period Orkney was a self-contained region culturally and governmentally distinct from Caithness. In this respect the islands differed substantially from the Hebrides which were inextricably connected to the mainland regions of Argyll and Ross.[5] Although the earls of Orkney had long been Scottish earls as well, the earldoms of Orkney and Caithness were distinct entities under different Crowns, archbishops and law codes. The last Norwegian royal official, Weland Stiklaw, able to effectively control a joint Orkney/Caithness position did so during the exceptional circumstances of the Wars of Independence.[6] In the long absence of any earl between 1353 and 1379 Orkney was administered by an agent appointed by the Norwegian king, which had the effect of increasing the identification of the earldom's territory and title with the Crown, rather than with historic regional ties.[7] Consequently, the position of the Sinclairs was fundamentally different from that of the Lords of the Isles; the latter were internally created, a local family whose claim to power from within the territory was accepted (or not) by the Crown.[8] The Sinclairs were an externally imposed family, whose claim rested not on historic local connections but on the legitimacy and favour of the Crown's administration. This external basis of legitimacy played an important role in the transference of the islands from Norway to Scotland in 1468-70, because the title-holder was dependent on the Crown, the external decision to pawn the islands could be made with little regional consultation. In comparison, the Lords of the Isles periodically engaged in diplomacy with the English independent of any Scottish

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[4] See: B.E. Crawford, 'The Pawning of Orkney and Shetland, A Reconsideration', *SHR* 48 (1969), 35-53; K. Horby, 'Christian I and the Pawning of Orkney', *SHR* 48 (1969), 54-63

[5] Although the use of Norn as a written language in legal documents ceases c.1426 and is replaced by the lowland Scottish dialect, it remained a spoken language for several centuries: G. Donaldson, 'Problems of Sovereignty and Law in Orkney and Shetland', *Stair Society Miscellany*, ii, (Edinburgh, 1984), 16
Orkney retained distinctive forms of law, administrative structure and land conveyance throughout this period and numerous families continued to maintain and/or cultivate links to Scandinavia.

[6] B.E. Crawford, 'North Sea Kingdoms, North Sea Bureaucrat', *SHR* 19 (1990), 182-3

[7] Malise earl of Strathearn was earl of Orkney until his death between 1344-50, following him Ernglisi was earl until he was deprived of his title in 1353; and the earldom then lay vacant until 1379 when Henry Sinclair was granted the title. *Diplom. Norv.*, ii, no. 319, 337

[8] See A. Grant, 'Scotland's 'Celtic Fringe' in the Late Middle Ages', in R.R. Davies (ed.), *The British Isles, 1100-1500: Comparisons, Contrasts and Connections* (Edinburgh, 1988)

royal control, an act approaching the concept of internally generated sovereignty; no such action was ever taken by Orcadian leaders.

William Sinclair, Third earl of Orkney:

Relations with the Norwegian Crown and the court of James I:

The connection to James I was carried over into the next Sinclair generation: despite his young age, William Sinclair, third earl of Orkney, was a central figure in the court in 1424-5 as a member of the privy council and a charter witness. He was also a member of the 1425 parliament that tried Albany.[9] William first appears in the Scottish record in 1421, as a minor, on the preliminary hostage list drawn up for James I's return. In 1423 he was amongst the group meeting the king at Durham. Interestingly he was listed alongside Balveny, who would marry William's sister that year, and another individual destined to have a fast rising career under the new king, Alexander Livingstone of Callander, who had appeared previously as the Sinclairs' baillie in a Stirlingshire barony.[10] William's presence, like that of the Lauder and Forrester families, may have deliberately echoed the personal attachments formed in the pre-1406 era. These men could not recruit large amounts of physical support; their presence at court may, however, have added a much-needed sense of legitimacy and continuity to the new king's reign.[11] It was no accident that the court in the first few years of James I's reign was packed by men from the southeast; this was the one region that was not dominated by the Albany Stewarts and in which the primacy of the Douglas earls and/or other magnates had traditionally been shared with the service to the Crown.[12]

William quickly established himself as a respected member of the new court whose allegiance to the Crown was clear, but he was not a prominent figure in terms of holding offices or involvement in treaties. His activity in foreign, mainly English, affairs came after James I's reign, with the sole exception of his role in the 1436 French wedding.[13] Nor was he visibly involved in any controversial actions during the 1420s and early 1430s. He was at the council of 1428 where James I challenged the earl of Ross; but he was not present at the actual confrontation in 1429 despite the fact that the king's contingent included many Lothian barons with whom he was

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[9] GD119/167; *RMS,* ii, no. 3-8, 15

[10] *Rot. Scot.,* ii, 229b, 244b; Mss Duke of Atholl, 706

[11] M. Brown, *James I,* 51-2, 54

[12] Bower, *Scotichronicon* viii, 245; *Pluscardensis,* ii, 281; Tanner, *The Late Medieval Scottish Parliament,* 18-19

[13] Bower, *Scotichronicon,* viii, 249

intimately connected.[14] His absence may have been a deliberate avoidance of an awkward issue. While on one hand it was beneficial for him to support an attack on Ross, his largest northern rival and a family with whom he would later have a deep seated and violent feud, such an attack could potentially cause Ross to seek personal vengeance in the Orkneys, an area beyond the Scottish crown's control.[15] Nor was William actively involved in the periodic Border incidents, including the1434 campaign by James I against March, which saw Dunbar castle taken by Angus, Crichton and Hepburn, all of whom were his south-eastern neighbours.[16] His absence from this particular campaign may well have been due to his trip to Denmark and Orkney which occurred during the same summer.[17] This trip, like the 1379 and 1389 trips of the first earl, was mandatory if he was to retain the earldom.

One of the problems with accurately judging William's status at court prior to the mid 1430s is the unsettled issue of the Orkney earldom. Although he used the title, it is unlikely that he had complete control over the earldom's assets before 1434.[18] Consequently, his value in James I's court was a combination of his potential, once he gained the earldom, as a balancing influence against the earl of Ross in the north and his immediate value as a well connected southeast noble. It was his relationships with the Douglases (both the earl and Balveny), Forresters, Lauders, Crichtons and others that were important in the Scottish context during the 1420s. However, assuming he could gain control of Orkney, William would be in a far stronger position than his close associates such as Balveny, Crichton and Livingstone. His possession of the earldom gave him a financial and political security that was entirely outside of the intrigues of Scottish court politics; he did not have to depend on either the patronage of the Crown or of other nobles to attain an elevated status.[19] This fortuitous position may well explain his low key approach to

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[14] Tanner, *The Late Medieval Scottish Parliament*, 40-1
[15] *Acts of the Lords of the Isles,* p.lxix
[16] Balfour-Melville. *James I*, 216
[17] He was installed as earl in 1434; an act requiring his homage to the Norwegian king, now in Copenhagen. *Orkney Recs.*, 48-49
[18] He is always referred to by that title in Scottish documents, and in lists is placed alongside the other earls rather than with the barons (where he would be if only Roslin was taken into account).
[19] William's wealth is clear not only from the ostentatious Roslin chapel and his ability to buy much of Orkney, but also from his ability to commission works such as Gilbert of Hay's Prose Manuscript: see the STS introduction and W.D.H. Sellar, 'Was it Murder? John Comyn of Badenoch and William, Earl of Douglas', in C.J. Kay & M.A. Mackay (eds.), *Perspectives on the Older Scottish Tongue* (Edinburgh, 2005) for a discussion of this manuscript.

court politics, which tended to see him appear in periods of political turmoil but to otherwise remain out of the record.[20] However, while Orkney gave him the ability to opt out of Scottish politics, at least to some degree, this was only possible if his control was not contested.

William's disputed status was also hazardous due to its potential for increasing tensions, especially in an era where international alliances changed quickly and easily. It is not surprising that in the 1426 treaty negotiations between Norway and Scotland William was not one of Scottish delegates despite the fact that the conditions would have been of personal interest.[21] His presence, despite the benefit to be gained from his familiarity with the situation, could only have raised the ire of the Norwegian delegation. It is reasonable to suppose that in France and the Low Countries, where Norwegian or Danish interests were of importance, the potential for offence also existed.

Consequently, he acted swiftly as soon as he reached his majority. It is in his campaign to assert control over this financial and hierarchical resource that William's ability is best shown in these early years. King Eric's immediate move on the death of Henry in 1420 to regain direct control of the earldom was no doubt prompted by William's minority and the willing collusion of both the bishop and Menzies.[22] Eric's success in 1423 in making the bishop and Menzies work together in ruling Orkney was a direct threat to William, since precedent existed for ignoring the earl if successful alternative rule existed.[23] In 1424, even as he was making a place for himself in the Scottish court, he was working to remove Menzies. The Complaint of 1424, which listed Menzies' alleged abuses, was not written by William, but its reference to a faction led by Sinclairs against Menzies, its relation of increasing tension and violence between the two groups and the reference to Menzies' skimming close to eight hundred English pounds from the earl's revenue

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[20] William's appearances at court are most frequent in 1424-5, 1438-40 and 1451-6
This ability to fall back on an established financial base was a critical element for long term success. For an earlier example of a family able to reach the pinnacle of power but doomed to obscurity partly because of a lack of any major territory, see: M.H. Hammond, 'Hostiarii Regis Scotie: the Durward family in the thirteenth century', *The Exercise of Power in medieval Scotland* (2003), 118-138

[21] It should be noted though that his knowledge was almost certainly sought out: all the ambassadors were known to him: William Crichton, William de Foulis, Thomas de Cranston; all had links to him, Lothian, and the Douglases, as well as James I. *Danicae.* 607

[22] The events of 1424 show a distinct faction supporting the Sinclairs: *Orkney Recs.,* 36-45; Crawford, 'The Earls of Orkney-Caithness', 254

[23] *Orkney Recs.,* 31-3, 35-6

suggest a local bias in favour of Sinclair.[24] By 1425 Menzies was removed and the Kirkwall community council was requesting the appointment of William as earl, stating that the resolution of the conflict was due to his involvement. Meanwhile the other potential opponent to the earl, the bishop, left for St. Andrews, although he nominally remained the royal agent.[25] Actual control of the islands between 1426 and 1434 may have been held by Thomas Sinclair.[26]

William's claim to the earldom was accepted in August 1434 when he paid homage to King Eric in Copenhagen. His installation was the same as that of his grandfather; the only major change was in the attitude towards the bishop, who was no longer an opponent to the interests of either the crown or the earl.[27] The acceptance of William's claim once he established his presence was a forgone conclusion. There were no other claimants to earldom and short of either forfeit or ignoring the title the claim was not legally contestable. That such action was not taken by the king, despite his apparent reservations about granting the earldom to a Scottish noble, can probably be attributed to three things. The Orkneys were not of high priority for Denmark, far more pressing was the struggle to retain Sweden and fend off the encroachments of various German states. Secondly, William had well entrenched support in the area, which would have taken both time and money to combat. Finally, it is reasonable to suppose that William was able to make a favourable personal impression. Having gained the earldom he was careful to ensure his hold by visiting and corresponding with both Orkney and Copenhagen, and by holding formal councils in Orkney.[28] This ensured both his legal claims to the islands and a network of local support.[29] His systematic acquisition of land, which legally was not part of the earldom, also extended his presence and would later allow the Sinclairs to retain control even after they lost the title to the earldom.[30]

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[24] *Orkney Recs.*, 36-45

[25] *Danicae* 2nd ser. i, no. 4726; *Danicae* 1st ser. i, no. 3473

[26] *Danicae* 2nd ser. i, no. 5007

[27] It is worthwhile to note that the genealogy of 1440 (which is almost certainly a copy from the original drawn up by Sinclair for King Eric) skipped from Earl Henry I to William, evidence that Norway never legally recognized the claim of Earl Henry II in regards to the Orkneys. For dating of the genealogy see: Crawford, 'The Earls of Orkney-Caithness', 47-51

[28] *Orkney-Shetland Rec.*, i, 45

[29] A Sinclair held a position as warden, another as public notary in 1435: *Diplom. Norv.*, xx, no. 809 They also appear as members of the church in Ork: John Sinclair was a canon in 1455: D23/2/8

[30] Crawford, 'The earls of Orkney-Caithness', 296. W.P.L. Thomson, *History of Orkney* (Edinburgh, 1987), 138-9

William's attainment of the earldom was not solely created by his legal manoeuvres, but was also created by the continued growth of the Sinclairs' following in the isles between 1379 and 1434. Evident in the marriages, this is also reflected by the differing witness lists for the two installation charters. The sureties for 1434 remain predominantly south-eastern reflecting the family's continued primary identification with the social network of that area: the earls of Douglas, Angus and March, along with Borthwick, Ramsay, John Sinclair and Andrew of Keith.[31] Additional sureties were also provided by the bishops of Aberdeen, Moray and Caithness. The first of these may reflect the earl's links to Aberdeenshire, as the bishop of Moray at this time was a brother of the earl of March and so a southern connection remains clear. However, the presence of these northern bishops reflects the use of a broader geographic network by the third earl. This broadening network is also indicated by those 'friends and kinsmen' actually sealing the installation charter: Thomas Sinclair, David Muntower, Alan Beton, Alexander Brown, Robert Benyn and John Haraldson. Of these men Sinclair, Brown, Benyn and Haraldson all appear again in the Orkney records: the latter two as baillies of Kirkwall and Thomas as the warden of the isles. Furthermore, the surname Beton also appears throughout the isles, suggesting that Alan was likely a native as well.[32] This native Orcadian affinity is in sharp contrast to the first earl's affinity, which did not have or establish a position in the isles. These men, prominent in Orkney, do not, however, appear with the earl in the south, again suggestive of localized grouping.

These installation lists suggest that rather than immediately displacing the native Orcadian affinity the earls cultivated local support. Only their immediate household regularly travelled between both regions. This is not to say that such displacement did not occur, it did: families, including the Sinclairs, retained ties to Norway into the 1500s; but by the mid 1400s a distinct majority of the prominent Orcadians bore names of Scottish, not Norse, descent.[33] However, this social creep was not solely driven by the earls but was also due to the changing economic conditions. The trading patterns of the North Sea began to favour the development of geographically local links rather than attempting to compete in the Scandinavian

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[31] *Orkney Recs.*, 48-9
[32] *Orkney Recs.*, 51, 71, 329, 330
[33] D23/2/5, D23/2/8.1-2

market which was often determined by the latest disputes between Denmark, England, the Low Countries, the German towns, and other interested groups.[34] Specific examples beyond the general language and legal shifts, which reflect not only the issue of secular control but also the influx of Scottish clergy, include the appearance of an Edinburgh burgess in Kirkwall during the 1430s, a man by the name of John Fife in the service of the second earl in Orkney and, of course, the numerous cadet branches of the Sinclairs.[35]

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[34] See W. Childs, 'The George of Beverly and Olav Olavesson', *Northern History* 31 (1995), 108-22 Thomson, W.P.L. *History of Orkney* (1987), 111; 'Fifteenth Century Depression in Orkney: the Evidence of Lord Henry Sinclair's Rentals', in B.E. Crawford (ed), *Essays in Shetland History* (Lerwick, 1984); K. Helle, *Norway: A History From the Vikings to Our Own Times* (Oslo, 1995), 96-9 This gradual transition was evident elsewhere, for the Isle of Man and Sodor bishopric's (originally a Nidaros benefice) English assimilation see: T. Thornton, 'Scotland and the Isle of Man, c. 1400-1625: Noble Power and Presumption in the Northern Irish Sea Province', *SHR* 77 (1998), 1-30

[35] *Orkney Recs.*, 43, 329 Economic factors, such as the fact that Orcadian grain/fish did not fit into the Hanseatic trade patterns that dominated Norwegian trade, were not deliberate moves towards Scottish domination and were correspondingly more successful than a forced campaign by the Scottish earls. Helle, *Norway*, 96-9

'Domination is often most successfully asserted when it is unplanned and unconscious, where it arises (as it were) out of the natural weft of political relationships.' R.R. Davies, *Domination and Conquest,* (Cambridge, 1990) 5

Sinclair-Douglas relations:

The Douglas alliance, notable in the Albany regency, was continued in the reign of James I. This Douglas marriage alliance was reciprocal: in 1423 James Douglas of Balveny married William's sister, Beatrix. Balveny benefited doubly from this marriage: in the matter of basic practicalities, it would provide Balveny, now in his fifties, with an heir, a concern completely alleviated by their five sons; and it connected him with a family that had a history of loyalty to James I. The composition of James I's privy council in 1424 is striking for the number of Sinclair connections it reveals: the bishop of St Andrews, Orkney, Douglas of Balveny, Somerville of Carnwath, Forrester (chamberlain), Walter Ogilvy, Livingston of Callendar, Borthwick, Forbes and Lauder archdeacon of Lothian.[36] Of these men Balveny, Somerville and Forrester all had marital links to the Sinclairs, while Livingston had been the baillie in the Sinclair barony of Herbertschire and Borthwick, though closer to the Douglas earls, was a neighbour in the southeast.[37]

In 1432 William married Elizabeth Douglas, the twice widowed daughter of the fifth earl of Douglas.[38] This marriage echoed the marriage of William's father into the Douglas family, and likely had similar political reasons; but it also could increase William's lands dramatically. The timing of this marriage coincides with his increasingly aggressive attempts to lay claim to various regions; not the least of which being the earldom of Orkney, his right to that would be recognized by the Scandinavian crown in 1434. However, William also laid claim by right of marriage to two other regions: Nithsdale and Garioch; and it was during the 1430s that he became involved in the long-running disputes over them, although in neither case would be settled during the reign of James I. William's claim to Nithsdale was tenuous, it was not directly inherited but had belonged to his mother Egidia Douglas, who after Henry's death, had remarried but her second husband had died without issue. Egidia was still alive in 1438 and during this time period the claim was in her name, but probably backed by the Sinclairs.[39] In later years William would take up

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[36] GD119/167
[37] Mss Atholl, p706
[38] *Diplom. Norv.*, xvii, no. 495
[39] GD 350/1/949

the cause before finally resigning it in 1455.[40] The complications concerning Nithsdale were twofold: firstly, the land was embedded in Douglas territory. Consequently, the loyalty of Nithsdale to the Sinclair family, regardless of any positive relations between the two families, was artificially created by the grant and not by any longstanding physical relationship. The Sinclairs' hold on Nithsdale was similar to, but even more tenuous than, the earlier claim by the earl of March on the lordship of Annandale. It is possible that gaining control over the area was one of the benefits envisioned in the 1432 marriage.[41] The second complication, connected to the first, was the determination of the king to control the area. One of James I's policies to increase royal control was the acquisition of various territories; Nithsdale was one of the regions he was interested in, probably due to the fact that it would allow him to divide the Douglas territory and reduce their latent threat to the crown[42]. In some areas the king might have simply backed William's claims as the installation of a loyal agent in the area would have solved the security issue; but Nithsdale was also a potential financial reward if the king could acquire it directly, hence the conflict.[43]

The problem of Garioch was equally complex, and like Nithsdale, would remain an issue well into the reign of James II. When Elizabeth Douglas married William Sinclair in 1432 she brought more than simple Douglas connections into the equation: she was also the earl of Mar's twice widowed daughter-in-law and from her first marriage she held lands in Aberdeenshire, Stirlingshire, and Clackmannanshire, from her second husband, Thomas Stewart, she received terce lands in the earldoms of Mar and Garioch on the death of Mar in 1435.[44] The estates she held from her first marriage were never an issue; they benefited both the Sinclairs and James I, since they expanded William's territory in that region and gave the king another ally in the area.[45] However, the terce lands, like Nithsdale, were embroiled in the question of whether financial or political security was of greater importance to the crown. By the end of 1435 the two main claimants to the

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[40] Sinclair gave up Nithsdale in exchange for the earldom of Caithness: Hay, *Sainteclaires,* 73-75. Tanner, *The Late Medieval Scottish Parliament*, 153
[41] GD 350/1/949
[42] M. Brown, *The Black Douglases*, 247
[43] This conflict would become even more clear under James II: M. Brown, *Black Douglases*, 317
[44] McGladdery, *James II*, 20
[45] M. Brown, *James I*, 158

earldom of Mar were the crown and the Erskine family; William supported the Erskines due to James I's unwillingness to allow William to establish himself in the area.[46]

William had been a regular member of James I's court and was apparently with the king in Perth shortly before the assassination, as the near contemporary account *'The Dethe of the Kynge of Scotis'* mentions him as having been in Perth.[47] It is reasonable to assume that in the first months after the assassination he supported the queen, at least until the immediate dynastic threat had clearly passed.[48] But when it came to setting the future course of the kingdom it seems that, while a loyal follower of James I, William was not inclined to support the continuation of his policies as envisioned by the queen's faction.[49] Instead he moved to support the faction led by the earl of Douglas. By early to mid 1437 Douglas, as Lieutenant General, was in firm control of the government; his backing was largely composed of those connected to the Douglas family. Douglas of Balveny and William Crichton were two of his most powerful supporters, along with William as well other people connected to both families in the southeast and southwest. William's support of Douglas was immediately profitable both in terms of land claims and court positions.

The council in May 1437 demonstrated Douglas' strength, and by extension William's. One of the decrees of the council was a demand to the sheriff of Aberdeen that the tenants in the Garioch should obey Elizabeth Douglas, William's wife, as her claim was valid, notwithstanding prior claims by Mar.[50] This ruling in favour of the Sinclairs was in direct contradiction to the earlier decisions by James I; and made clear that James I's decisions concerning land claims could be overturned.[51] It was probably this that spurred on Egidia Douglas, William's mother, to appeal over Nithsdale. However, this suit was less successful since it originated from the inability of the Sinclairs to retain control in Nithsdale due to opposition from tenants loyal to the Douglas.[52] Nevertheless, William was clearly in favour with the court. His elevation to the new title of a Lord of Parliament in 1439 is

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[46] GD 350/1/948; M. Brown, *James I*, 158
[47] M. Connolly, (ed), 'The Dethe of the Kynge of Scotis: A new edition', *SHR*, 71 (1992), 56
[48] M. Brown, *James I*, 190
[49] McGladdery, *James II*, 12
[50] GD 350/1/948
[51] Tanner, *The Late Medieval Scottish Parliament*, 86
[52] GD 350/1/949

further proof of his ability to successfully transfer their loyalties from one regime to another.[53] This favour was no doubt in part due to the close links he had with both branches of the Douglas family: that of the fifth earl and the Balveny group.

Yet, regardless of these links of kinship, William's loyalty to James II and to the crown trumped any perception of obligation or alliance with the Douglas family during the conflict between the king and that family. William led the royal army in 1451 into Galloway to collect dues owed to the Crown, the opening salvo in James II's attack on the Douglases and an unequivocal statement of where the Sinclairs' loyalty lay; he also served as the jailor of Hamilton, the last major supporter of Douglas.[54] William's support was rewarded when he became chancellor in 1454.[55] The links of kinship by marriage were an expression of the shared political interests of both parties in the 1420s and 1430s; but by the 1450s the political allegiances of the two groups had diverged. That James II was unconcerned over where the loyalty of Sinclair was placed, despite the fact that William's nephews were the king's enemies, strongly supports the argument that such kinship relations were heeded only when they conformed to the personal interests of those involved and not vice versa.

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[53] M. Brown, *Black Douglases*, 255. Tanner, *The Late Medieval Scottish Parliament*, 82-3
[54] *Chron. Auchinleck,* 53; Pitscottie, *Historie*, i, 82, 85, 115
[55] He held the chancellorship until October 1456; ironically he may have lost it due to the king's interest in curtailing William's power. *A.B. Ill.,* iii, p8-9; *Cal. Docs.,* iv, no. 258